

17 Bogong High Plains Road Falls Creek

VicSmart Planning Permit Application
Application no. PA2403270



Officer Assessment Report
Development Approvals & Design

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Department
of Transport
and Planning

Executive Summary

Key information	Details										
Application No.:	PA2403270										
Received:	9/10/2024										
Statutory Days:	5 days										
Applicant:	Alpine Resorts Victoria										
Planning Scheme:	Alpine Resorts										
Land Address:	17 Bogong High Plains Road, Falls Creek										
Proposal:	Replacement of existing section of fence at a child care centre										
Development value:	\$30,000										
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 this application because: <i>The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.</i>										
Why is a permit required?	<table border="1"> <thead> <tr> <th>Clause</th> <th>Trigger</th> </tr> </thead> <tbody> <tr> <td>Schedule 1 to Clause 37.02 (Comprehensive Development Zone)</td> <td><i>A permit is required to construct a fence.</i></td> </tr> <tr> <td>Clause 44.06 (Bushfire Management Overlay)</td> <td>N/A</td> </tr> <tr> <td>Clause 43.02 (Design and Development Overlay)</td> <td>N/A</td> </tr> <tr> <td>Clause 44.01 (Erosion Management Overlay)</td> <td>N/A</td> </tr> </tbody> </table>	Clause	Trigger	Schedule 1 to Clause 37.02 (Comprehensive Development Zone)	<i>A permit is required to construct a fence.</i>	Clause 44.06 (Bushfire Management Overlay)	N/A	Clause 43.02 (Design and Development Overlay)	N/A	Clause 44.01 (Erosion Management Overlay)	N/A
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Schedule 1 to Clause 37.02 (Comprehensive Development Zone)	<i>A permit is required to construct a fence.</i>										
Clause 44.06 (Bushfire Management Overlay)	N/A										
Clause 43.02 (Design and Development Overlay)	N/A										
Clause 44.01 (Erosion Management Overlay)	N/A										
Cultural Heritage	The subject land is not located within an area of cultural heritage sensitivity. As such, a Cultural Heritage Management Plan is not required for the proposed activity.										
Referral authorities	N/A										
Public Notice	Notice of the application under section 52 of the Act was not required because: <i>A VicSmart application is exempt from:</i> <ul style="list-style-type: none"> <i>The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.</i> <i>The decision requirements of section 64(1), (2) and (3) of the Act.</i> <i>The review rights of section 82(1) of the Act.</i> 										
Delegates List	Not required										
Recommendation	The application is recommended for approval subject to the conditions as discussed.										

Background



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

Milestone	Date
Exemption request lodged by ARV	3/09/2024
Exemption request refused by DTP	23/09/2024
Application lodgement	9/10/2024
Decision Plans	Plans prepared by Sendit Archi, titled 'Falls Creek Child Care Centre' and dated 31/08/2023 Site Environmental Management Plan (SEMP) by Fred Weir and dated 03/09/2024

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

3. The proposal can be summarised as follows:

Key Information	Details
Proposal:	Construct a building or construct and carry out works (a fence) within the Comprehensive Development Zone.

4. Specifically, the proposal comprises the replacement of an existing section of fence associated with the childcare centre at 17 Bogong High Plains Road, Falls Creek Alpine Resort. The replacement fencing comprises core-filled blockwork with stone finish, glass panel infill and metal railing. The fence incorporates a gate to the childcare area. The overall height is 1700mm above finished floor level.

5. The applicant has provided the following concept images of the proposal:

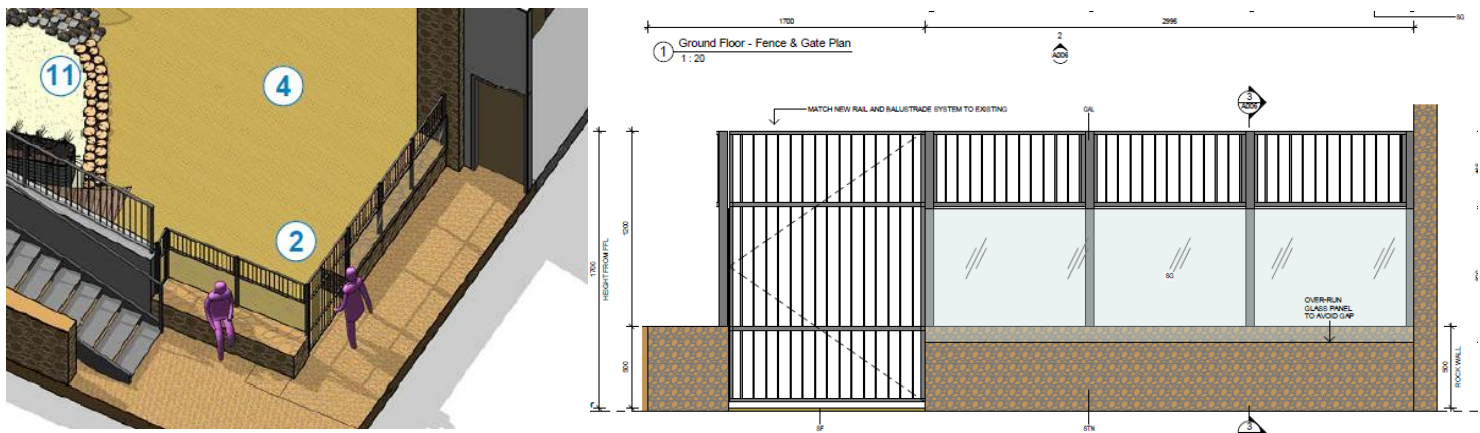


Figure 1: Concept image and elevation of proposal

Subject Site and Surrounds

Site Description

6. The site is located within the Falls Creek Alpine Resort. The site is situated within the area of the resort designated as Area 3 on the Falls Creek Village Strategic Framework Plan and is situated within Falls Creek Village.
7. The existing site contains the main Falls Creek resort centre which includes an existing child care centre.
8. The site is formally described as comprising:
 - Crown Allotment 250A Section A and Crown Allotment 253 Section A Parish of Darbalang.
 - 251A Section A Parish of Darbalang.
9. There are a number of instruments and deal on the site however these do not affect the proposal given its minor nature.



Figure 2: aerial image of the site (Source: Google Maps)

Site Surrounds

10. The surrounding development consists mainly of residential accommodation associated with ski resort, and the mixed-use facilities comprising the complex in which the childcare centre is situated.



Municipal Planning Strategy

11. The following objectives and strategies of the Municipal Strategic Statement of the scheme are relevant to the proposal:

Clause no.	Description
02.01	Context
02.02	Vision
02.03-1	Settlement and Housing
02.04	Strategic Framework Plans

Planning Policy Framework

12. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

Clause no.	Description
11	Settlement
11.01-1L	Alpine Villages – Falls Creek Village
11.03-6S	Regional and Local Places
Clause no.	Description
12	Environmental and Landscape Values
12.04-1S	Sustainable Development in Alpine Areas
12.04-1L	Sustainable Development – Alpine Resorts
12.04-1L	Sustainable Development – Falls Creek Alpine Resort
13	Environmental Risks and Amenity
13.02-1S	Bushfire Planning
13.02-1L	Bushfire Planning – Alpine Resorts
13.04-2S	Erosion and Landslip
13.04-2L	Erosion and Landslip in Alpine Resorts
15	Built Environmental and Heritage
15.01-2L	Built Form in Alpine Resorts

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

Statutory Planning Controls

Comprehensive Development Zone

14. A planning permit is required to construct a building or construct or carry out works. The purpose of the Comprehensive Development Zone is:
- To implement the Municipal Planning Strategy and the Planning Policy Framework.*
 - To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.*
15. The Comprehensive Development Zone includes application requirements and decision guidelines for buildings and works. The following sections include discussion of how the proposal responds to these requirements.



VicSmart Applications and Requirements

16. Clause 59.04 sets out the information requirements for any VicSmart application for buildings and works within a zone and outlines the relevant decision guidelines.
17. Clause 59.05 sets out the information requirements for any VicSmart application for buildings and works within an overlay and outlines the relevant decision guidelines.

Notice

18. 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 pursuant to the following provisions:
 - *A VicSmart application is exempt from:*
 - *The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.*
 - *The decision requirements of section 64(1), (2) and (3) of the Act.*
 - *The review rights of section 82(1) of the Act.*



Strategic Direction and Land Use

19. The proposed fence is associated with an existing childcare centre. The proposal raises no issues with regard to land use or strategic directions for development in the area.

Built form

20. The zoning provisions have been considered in the application with respect to the proposal.
21. The purpose of the zone has been considered.
22. The proposal is appropriate, having regard to the relevant built form decision guidelines of the CDZ1 as follows:
- *The design, colours and materials to be used*

The design and appearance of the fence is appropriate and will integrate well with the existing child care centre. The use of glass panels and metal railings ensure that the fence will not introduce excessive bulk to the area or unduly reduce visibility through the site.
 - *The location of any building or works with respect to the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts*

The proposed fence is sensitive to the environmental context and natural environment, or will not unduly impede vistas to the surrounding natural environment.

Bushfire risk

23. While the site is covered by the Bushfire Management Overlay, there is no permit trigger for a fence under this overlay and therefore an assessment is not required against this provision. However, this is within a designated bushfire prone area and works associated with a childcare centre must be assessed for bushfire risk.
24. DTP considers that the fence proposed would not present any unacceptable bushfire risks with respect to people, property and community infrastructure. Furthermore, given the nature of the proposal, bushfire protection measures are not required as the fence is highly unlikely to increase the risk of bushfire on the site in any way.



Recommendation

25. **It is recommended that a Delegate of the Minister for Planning** issue Planning Permit No. PA2403270 for the construction of a fence associated with a childcare centre at 17 Bogong High Plains Road, Falls Creek, subject to conditions.

Conclusion

26. The proposal is generally consistent with the relevant planning policies of the Alpine Resorts Planning Scheme.
27. It is recommended that the applicant be notified of the above in writing.



Prepared by:

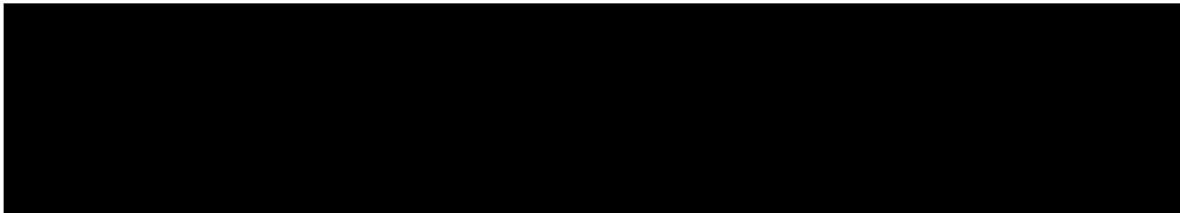
I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- No Conflict**
- Conflict and have therefore undertaken the following actions:
 - Completed the **Statutory Planning Services declaration of Conflict/Interest form.**
 - Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name:

Title:

Phone:



Reviewed / Approved by:

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