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22 June 2026

Michael Dafnomilis
Senior Planner
Alpine, Development Approvals and Design
Department of Transport and Planning
1 Spring Street, Melbourne VIC 3000

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Dear Michael

Application To Amend Planning Permit 201529926-17 Response to request for further information

Our ref: Matter 41234

Biosis Pty Ltd (Biosis), on behalf of Hannah Nguyen (the 'applicant'), has prepared this letter in response to your request for further information (RFI) dated 28 May 2026, made pursuant to section 54 of the *Planning and Environment Act 1987*.

Our response to each item raised in the RFI is provided in Table 1 below. The following supporting documents are submitted with this letter to address the items requested by the Department of Transport and Planning (DTP):

- Attachment 1 – Copy of email notification to DEECA pursuant to Section 48 of the *Planning and Environment Act 1987*.
- Attachment 2 – Revised Architectural Plans copyright by Interlandi Mantesso Architects.

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Table 1: Response to RFI dated 14 August 2025

Item No.	Applicant response
1.	A copy of the email notification sent to the Minister for Environment C/- the Department of Energy, Environment and Climate Action (DEECA) is provided as Attachment 1 to this letter. The email was sent to pe.assessment@deeca.vic.gov.au on the 16 th of June 2026 and included the property address, a site plan and a brief summary of the proposal, notifying DEECA of the planning permit application pursuant to Section 48 of the <i>Planning and Environment Act 1987</i> .
2.	Biosis, on behalf of the applicant, respectfully requests that DTP reconsider the proposed amendment to the proposal description. The applicant does not agree to the description reading: <i>'to amend the architectural plans relating to Cabin 4 within Parcel B to include an additional dwelling within an additional storey (lower ground level) and external stairs'</i>

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Biosis acknowledges the Aboriginal and Torres Strait Islander peoples as Traditional Custodians of the land on which we live and work. 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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	The description of the lower ground floor as “an additional dwelling” is not supported and does not reflect the applicant’s position outlined in the Preliminary Assessment response below. The lower ground floor is intended to function as part of the existing single dwelling, rather than as a separate self-contained residence.
3.	The submitted architectural plans have been revised to address all four sub-items raised. Revised architectural plans prepared by Interlandi Mantesso Architects are provided as Attachment 2 to this letter. The following amendments have been made to the ‘Parcel B – Ground Floor Plan’ drawing: a) The Cabin Type name for Cabin 1 (WHV-C1) has been corrected from ‘Type C2-V1’ to read ‘Type C2-V2’. b) The Cabin Type name for Cabin 3 (WHV-C3) has been corrected from ‘Type C2-V1’ to read ‘Type C2-V2’. c) The Cabin Type name for Cabin 5 (WHV-C5) has been corrected from ‘Type C2-V1’ to read ‘Type C2-V2’. d) The external stairs entry and common stairs for Cabins 8 and 9 have been amended to ensure the submitted plan is consistent with the respective plan endorsed on 21 October 2025. All four corrections noted under Item 3 have been incorporated into the revised architectural plans provided in Attachment 2.
4. Preliminary Assessment	Preliminary Assessment – Item 1: Clause 58 – Apartment Developments DTP has identified that Clause 58 – Apartment Developments of the Alpine Resorts Planning Scheme may apply on the basis that the proposed lower ground floor addition constitutes an additional self-contained dwelling. Biosis, on behalf of the applicant, respectfully submits that Clause 58 is not triggered by this proposal for the reasons set out below. <u>The correct characterisation of the proposal</u> The proposal involves the addition of a lower ground floor level to Cabin 4 (WHV-C4, Type A-V1), an approved alpine cabin within Parcel B of the White Horse Village resort. As described in the architectural plans prepared by Interlandi Mantesso Architects (drawing TP2.02, Rev A), the cabin is designated a ‘3 Bed, 3 Bath, 2 Storey Cabin’ with a total area of 192.7m², comprising a ground floor of 92.0m² and a lower ground floor of 64.2m². The building is identified throughout the architectural documentation under a single cabin identifier (WHV-C4) with a single site coverage figure of 105m² (38.5%). There is no separate cabin designation, no separate lot, and no separate identifier for the lower ground floor. These are the indicators of a single building containing a single dwelling. <u>The lower ground floor does not meet the definition of a dwelling</u> The Alpine Resorts Planning Scheme does not contain a standalone definition of ‘dwelling’. Resorting to the Victoria Planning Provisions (VPP) is therefore required. Under the VPP, a dwelling is defined as “a building used as a self-contained residence” which must include specified facilities. The operative and determinative term is self-contained. The mere presence of a kitchen, bathroom, and external entry point does not establish self-containment. The question is whether

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the space is designed and capable of functioning as an independent residence, separate from the remainder of the building.

The floor plans at drawing TP2.02 demonstrate that the lower ground floor is not capable of independent occupation. The lower ground floor accommodates one bedroom, a bathroom, a living/dining/kitchen area, entry, and ski storage, a layout that is partial and ancillary in the context of the cabin as a whole. The primary bedroom, second bedroom, ensuite, main living areas, and the principal entry are all located on the ground floor. The lower ground floor has no separate title, no independent utility connections, and is not proposed to be occupied or leased separately from the ground floor. The applicant has confirmed that the lower level is intended to serve as an extension of the cabin for family use, not as a separate residence.

Clause 58 is not triggered

Clause 58 applies to a building containing two or more dwellings. As the lower ground floor does not constitute a separate dwelling for the reasons set out above, the building as a whole contains one dwelling. The numerical threshold for Clause 58 to apply is therefore not met, and the clause has no application to this proposal.

Conclusion

The lower ground floor addition to Cabin 4 (WHV-C4) does not constitute a separate dwelling. The architectural plans demonstrate that it is an integrated lower level of a single 2-storey cabin, physically connected to the ground floor, incapable of independent occupation, and designed and intended to function as part of one residence. The building contains one dwelling. Clause 58 – Apartment Developments is accordingly not engaged, and DTP is respectfully requested to proceed with assessment on that basis.

Any future use as a separate dwelling would require a separate planning permit

For completeness, it is noted that should the lower ground floor ever be proposed for use as a separate, independently occupied dwelling in the future, this would constitute a change of use requiring a new or amended planning permit under the Alpine Resorts Planning Scheme. The current permit, if granted on the basis of a single integrated dwelling, would not authorise such use and could not be relied upon for that purpose. This further reinforces the applicant's position that the proposal as currently framed involves one dwelling only. The existing regulatory framework provides the appropriate mechanism to address any future change in use if and when it arises, and there is no basis to pre-emptively apply Clause 58 to a proposal that does not, on its face, involve two dwellings

I trust the above information is considered satisfactory and addresses your request for information. Please contact me if you have any enquiries.

Yours sincerely,



Luciano Solomon / Environmental Planner

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