

PA2604169 – Officer report  
(Chalet 4), 36 The Avenue, Mount Buller



Officer Assessment Report  
Development Assessment

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Department  
of Transport  
and Planning

OFFICIAL

# Executive Summary

Key information	Details		
<b>Application No.:</b>	PA2604169		
<b>Received:</b>	6 January 2026		
<b>Statutory Days:</b>	18		
<b>Applicant:</b>	Kirsty Swinton, c/- Taylor Engineering and Design		
<b>Planning Scheme:</b>	Alpine Resorts		
<b>Land Address:</b>	(Chalet 4), 36 The Avenue, Mount Buller		
<b>Proposal:</b>	Buildings and works to an existing building		
<b>Development value:</b>	\$50,000.00		
<b>Why is the Minister responsible?</b>	In accordance with the schedule to Clause 72.01 of the Alpine Resorts Planning Scheme (the Scheme), the Minister for Planning is the Responsible Authority for administering and enforcing the Alpine Resorts Planning Scheme		
<b>Why is a permit required?</b>	<b>Control</b>	<b>Clause</b>	<b>Trigger</b>
<b>Zone:</b>	Comprehensive Development Schedule 1 (CDZ) Zone	Clause 37.02-4	<i>Construct a building or construct or carry out works</i>
<b>Overlays:</b>	Design and Development Overlay Schedule 1 (DDO1)	Clause 43.02-2	<i>Construct a building or construct or carry out works, including a fence</i>
	Erosion Management Overlay Schedule 1 (EMO1)	Clause 44.01-2	<i>No permit triggered (Exempt as gross floor area not increasing by more than 20 square metres and approved in writing by the ARV).</i>
	Bushfire Management Overlay Schedule 1 (BMO1)	Clause 44.06	<i>No permit triggered (Exemption for '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'.)</i>
<b>Particular Provisions:</b>	Native vegetation	Clause 52.17	<i>No permit triggered (No native vegetation proposed for removal).</i>
<b>Cultural Heritage</b>	Satisfactory evidence has been provided to suggest that a Cultural Heritage Management Plan (CHMP) is not required because the land has been subject to significant ground disturbance.		
<b>Referral authorities</b>	Alpine Resorts Victoria (ARV) – s.55 – determining, Clause 7.0 of Schedule 1 to CDZ (37.02) AusNet Services – determining, Clause 7.0 of Schedule 1 to CDZ (37.02).		
<b>Notice</b>	ARV (s.52 notice, pursuant to Clause 8.0 of Schedule 1 to CDZ) Mansfield Shire Council (s.52 notice, pursuant to Clause 8.0 of Schedule 1 to CDZ).		
<b>Public Notice</b>	Notice of the application was undertaken by giving notice to 6 adjoining properties and notice displayed at the Mount Buller Alpine Resort office. (Refer to 'Advertising Memo' signed off by Manager on 6 February 2026.)		
<b>Delegates List</b>	Not required.		



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

Milestone	Date
Pre-application meeting	N/A
Application lodgement	6 January 2026
Further information requested	13 January 2026
Further information received	4 February 2026
Further plans submitted (formally under section 50 of the Act)	N/A
Further informally substituted sketch plans submitted (date)	N/A
<b>Decision Plans</b>	<ul style="list-style-type: none"><li>• Development plans, prepared by Taylor Building Design and dated 14 January 2025 (5 sheets).</li><li>• Site Environmental Management Plan (SEMP), signed by Tony Volders on 6 January 2026 (11 sheets).</li><li>• Planning report, prepared by Taylor Engineering and Design (not dated) (5 sheets).</li><li>• 'RFI response letter', prepared by Taylor Engineering and Design and received 4 January 2026 (5 pages).</li><li>• CHMP exemption evidence (1 page),</li><li>• Title plan.</li><li>• Application Form.</li></ul>

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

3. The proposal can be summarised as follows:
  - Construction of a roof cover (snow canopy) over the existing pedestrian accessway.
4. Specific details of the application (referred to as 'the Project') include:
  - Located to the east side of Chalet 4 between Chalet 4 and Chalet 3 with a minimum setback to Chalet 3 building of 0.8 m, extending to 3.31 m. (Refer to Figure 1).
  - Length of 19.21 m and width of 1.137 m and a maximum height of 4.689 m with a 25-degree pitch falling to the east. (Refer to Figure 2).
  - Roof cover will be held up by 5 evenly placed steel columns varying in heights between 2.2 m and 3.78 m, (due to the topography of the land).
  - Constructed of Colorbond material in a 'Woodland Grey' colour.
5. Refer to Figure 3 for 3D visuals.

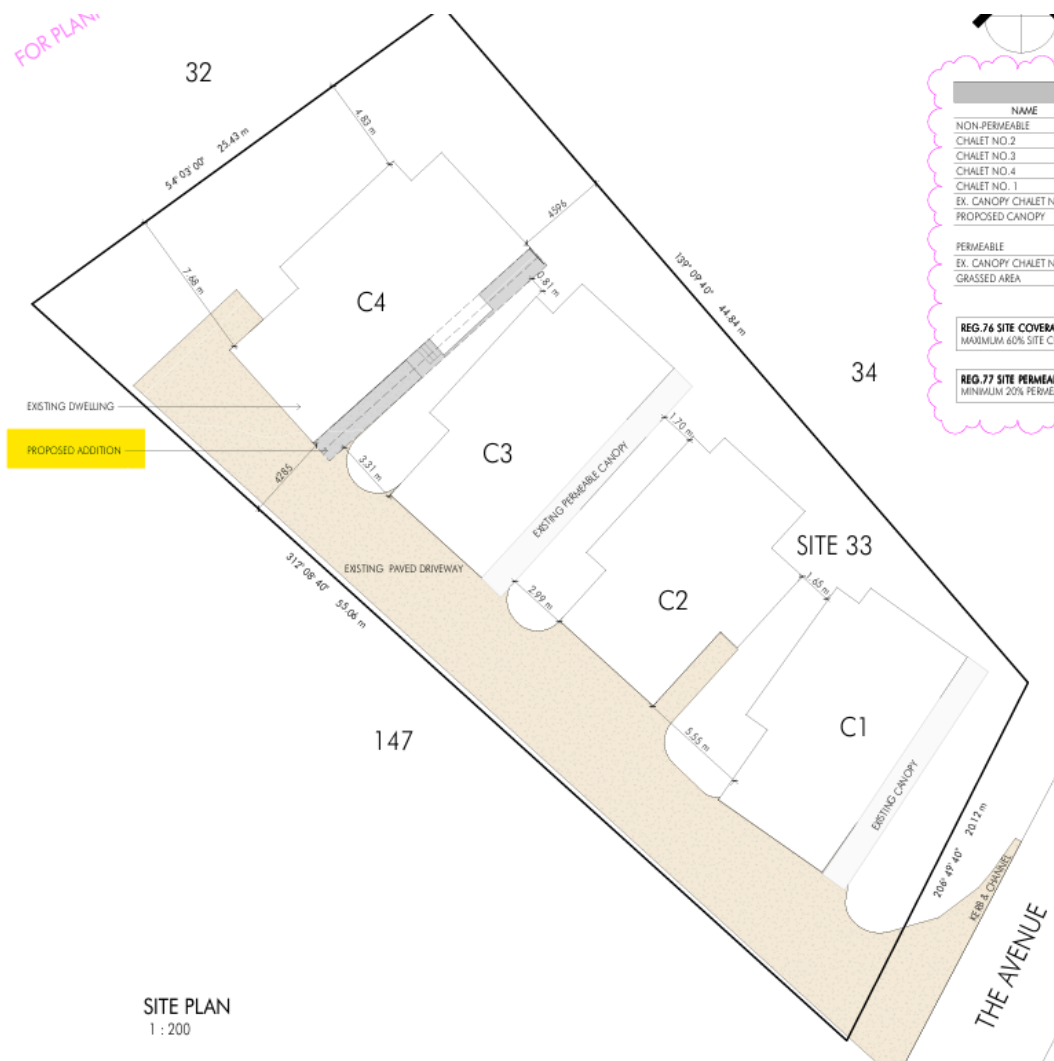


Figure 1: Site plan (Source: Application)

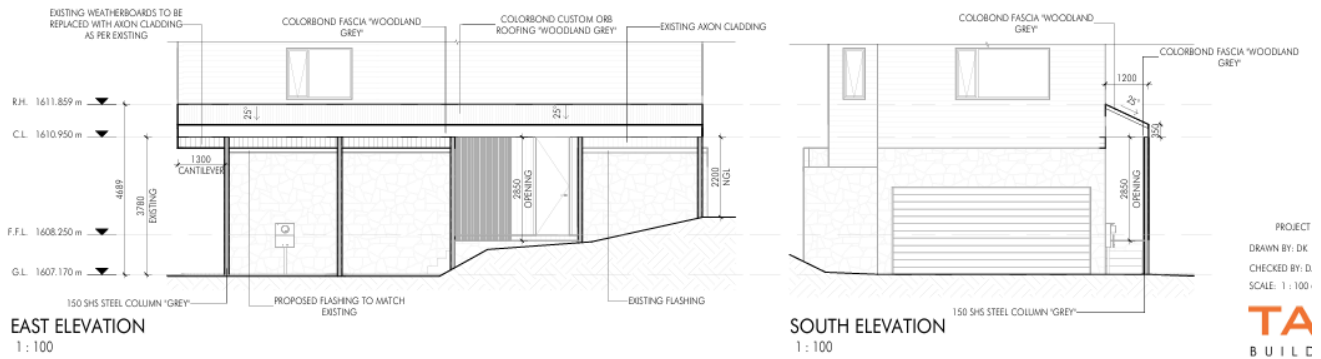


Figure 2: East and South elevations (Source: Application)



Figure 3: Section of proposed garage (Source: Application)

# Subject Site and Surrounds

## Site Description

- The site is located within the Mount Buller village, approximately 800 m south/west of the Mount Buller Village Square. (Refer to Figures 4 and 5).

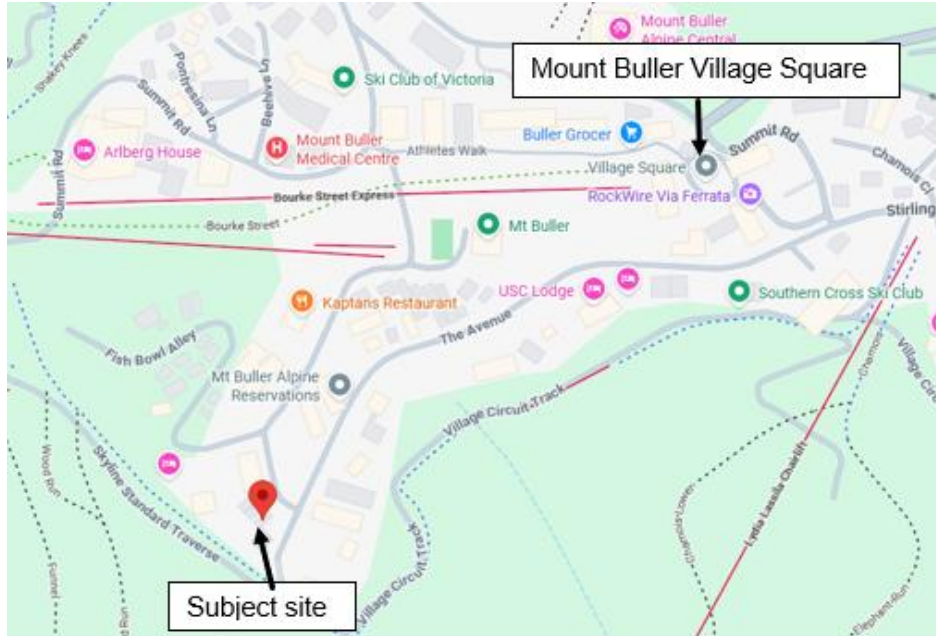


Figure 6: Location of site and context – Source: Google maps (modified by DTP)

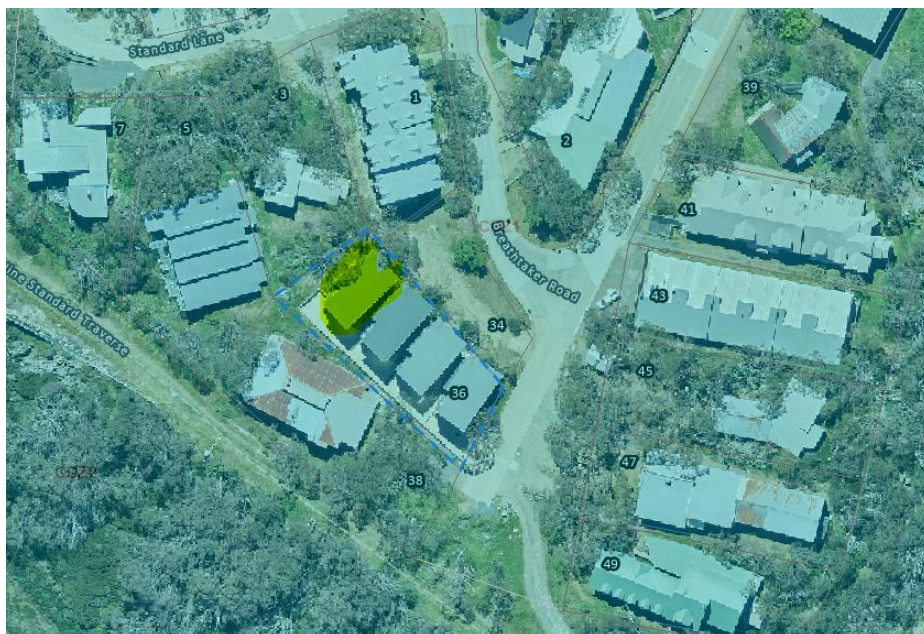


Figure 7: Aerial location of site with Chalet 4 highlighted in yellow – Source: Vicplan (modified by DTP)

- The site comprises 4 chalets as part of a complex known as Il Posto, with the proposed development occurring within Chalet 4.

## Site Surrounds

- The surrounding area is surrounded by other ski lodge buildings, ranging in size of 2 to 3 levels in height. Ski fields are located further south and east.



## Planning Policy Framework

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

Clause no.	Description
02-03-5	Built environment
02-03-6	Economic development
12.04-1S	Sustainable development in alpine areas
13.02-1S	Bushfire planning
13.04-2S	Erosion and landslip
15.01-2S	Building design

## Local Planning Policy Framework

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


Clause no.	Description
11.01-1L	Alpine villages
12.04-1L	Sustainable development – alpine resorts
12.04-1L	Sustainable development – Mt Buller Alpine Resort
13.02-1L	Bushfire planning – alpine resorts
13.04-2L	Erosion and landslip in alpine resorts
15.01-2L	Built form in alpine resorts
17.04-1L	Alpine tourism

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

## Statutory Planning Controls

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

16. The land is affected by the CDZ1.
17. A planning permit is triggered to 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.

- 
18. CDZ1 includes application requirements and decision guidelines for consideration of the site's context, including a Site Environmental Management Plan (SEMP). The following sections include discussion of how the proposal responds to these requirements.

**Clause 43.02 – Design and Development Overlay, Schedule 1 (DDO1)**

19. A planning permit is triggered to construct a building or construct or carry out works pursuant to the DDO1. The site is located in a DDO1-A1 precinct which contains specific development requirements in relation to maximum height, minimum setbacks, maximum site coverage, colours and materials.
20. The design objectives of the DDO1 include:
- *To ensure that development within the Mt Buller Village creates and enhances an 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 skifields.*
21. The following sections include discussion of how the proposal responds to these requirements.

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

22. A planning permit is **not** triggered pursuant to the EMO1.
23. The application meets the following exemption:
- *Extend a building or carry out works if the gross floor area is not increased by more than 20 square metres and stormwater from the building is discharged to a legal point of discharge or in the absence of formal stormwater infrastructure, as approved in writing by Alpine Resorts Victoria.*
24. The application meets the above exemption because the gross floor area is not being increased (given it is open and not enclosed by walls) and the ARV provided an email of support dated 2 February 2026.

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

25. A planning permit is **not** triggered pursuant to the BMO1.
26. The application meets the following exemption thus not triggering a planning permit:
- *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.*

**Operational Provisions**

**Clause 65.01 – Approval of an application or plan**

27. 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**

28. 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

29. The application was referred to the following groups:

Provision/ Clause	Organisation	Response Received (date)
Section 55 Referral - Determining (Clause 7.0 of Schedule 1 to CDZ (37.02) for: <i>'any use or development which requires connection to reticulated services.'</i>	Alpine Resorts Victoria (ARV)	<u>No response received.</u>
Section 55 Referral - Determining (Clause 7.0 of Schedule 1 to CDZ (37.02) for: <i>'any use or development which requires connection to reticulated services.'</i>	AusNet Services	<u>14 January 2026</u> No objection subject to notes.

## Notice

30. The application is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Planning and Environment Act 1987 pursuant to the following provisions:

- Schedule 1 to Clause 37.02 (CDZ)
- Schedule 1 to Clause 43.02 (DDO).

31. 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.

32. Notice was given to the ARV and Mansfield Shire Council on 13 January 2026 and 4 February 2026 respectively. No response has been provided to date from ARV and on 6 February 2026, the Mansfield Shire Council responded advising no objection and no conditions.

33. The applicant was directed to give notice by way of notice given to adjoining leaseholders and occupiers and display of a notice at the ARV office. No objections have been received to date.



## Planning Policy

### Consistency with State and Local Planning Policies

34. Broadly, the planning policies relevant to this Project 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.
35. The specific policies relevant to Mount Buller that apply, and a response to them, is provided as follows:
  - To ensure that the design, scale, height and materials of development are sympathetic to the existing natural and built form character of the resorts (Clause 02.03-5).
  - To maintain the unique 'village' atmosphere by siting buildings within the alpine landscape, retain trees (where possible) and maintain the compactness of the developed area (Clause 02.03-5).
  - To facilitate the right mix of commercial, retail, accommodation, entertainment, community and service facilities for the ongoing viability of resorts as year round destinations (Clause 02.03-6).
  - Encourage a range of residential accommodation types and densities to cater for the needs of the permanent and visitor population (Clause 11.01-1L).
  - To facilitate sustainable use and development of Alpine areas for year-round use and activity (Clause 12.04-1S) and to maintain the character of the resort and its relationship to the broader natural and cultural landscape of Mt Buller and Mt Stirling (Clause 12.04-1L).
  - To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life (Clauses 13.02-1S and 13.02-1L).
  - To protect areas prone to erosion, landslip or other land degradation processes (Clause 13.04-2S) and to ensure that geotechnical hazards are managed throughout the resorts so as to minimise risk to property and persons (Clause 13.04-2L).
  - To achieve building design outcomes that contribute positively to the local context and enhance the public realm (Clause 15.01-2S) and to utilise materials such as the natural stone and timber to provide strong design elements, resulting in a cohesive design language for Mt Buller (Clause 15.01-2L).
  - Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities (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).
36. The Project is consistent with the relevant policies. The proposal is minor in nature and does not need to consider the geotechnical requirements or the bushfire requirements given it is exempt under the respective provisions. The proposal will also be developed in accordance with the submitted Site Environmental Management Plan (SEMP). The proposal does not require the removal of any vegetation. Furthermore, the development supports the Alpine Resorts as a major tourist destination by improving an existing tourist (accommodation) facility and making it safer for pedestrians and users of the property.
37. The following section of this report will detail the key issues in this matter in light of relevant planning policy and controls.

### Zoning and land use

38. The proposal meets the relevant purpose of the CDZ1 which include:
  - *To encourage development and the year round use of land for a commercially orientated, alpine resort.*
  - *To 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.*



- 39. The proposed roof cover will be constructed as a minor addition to an existing chalet (chalet 4), which is one of 4 chalets located within the site.
- 40. The roof cover will improve safety for users of the property as it will provide a protective snow canopy over the existing pedestrian access path located between the front of the chalet and the rear entrance.
- 41. The CDZ1 requires that a proposed development give appropriate consideration to snow management and public safety. Given the alpine conditions, this area is regularly exposed to snow and ice accumulation, creating a clear risk to people using the walkway. The proposed snow cover will provide appropriate weather protection and reduce the risk of injury from snow and ice fall while maintaining the existing use and character of the site. Furthermore, there are no entries or existing pathways for the adjoining chalet to the east (Chalet 3) thus snow shed falling from the proposed roof will not cause safety issues to users of the adjoining chalet. (Refer to Figure 8 for photographs of the area between Chalet 3 and Chalet 4).



Figure 8: Photos of area between Chalet 3 (adjoining chalet) and Chalet 4 (chalet where roof cover will be located) – Source: Application

- 42. Construction will be undertaken in accordance with an approved Site Environmental Management Plan (SEMP) to protect offsite impacts from sediment discharge.

**Built form**

- 43. The site is subject to the Design and Development Overlay, Schedule 1 (Mt Buller Alpine Resort Village). Relevant design objectives include ensuring that the Mt Buller Village creates and enhances an identifiable individual resort character and 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.
- 44. The proposed roof cover will be constructed to one chalet that forms part of a 4 chalets of a site located within the Mount Buller village. As such, it is discreet and will not impact the Village Square or Bourke Street ski run given its location being well distanced from these. Furthermore, the roof cover will not be visible from the streetscape and the materials and colours used are typical and suitable for the alpine environment.
- 45. The proposed external staircase will provide safe pedestrian access from the garage to the existing lodge.
- 46. There are several requirements stated in the table to schedule 1 of the DDO and the subject site is located within A1 area, referred to as DDO1-A1. In assessing the appropriateness of the built form of the proposal, consideration of the DDO1-A1 requirements is required. A summary table and a brief assessment will now follow.

Requirement	Existing	Proposed
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<p><u>Height:</u> The maximum height of any part of a building is 3 storeys or 11 m above natural ground level, whichever is the lesser height.</p>	Complies: 2 storey building however proposal is single storey	Complies: Roof height is 4.689 m
<p><u>Minimum setbacks:</u> 6 m from the closest kerbside or constructed edge of a road abutting the frontage of the site and 3m from the frontage of the site.</p>	Complies: No change	Complies: No change
3 m from any other site boundary.	Complies: North-no change – 4.6m setback	Complies: North – no change – retains 4.6 m setback
An average of 4 m from any other building on the same site.	Non-compliant: Min average setback is 3.689 m	Non-compliant: Min average setback is 2.06 m
6 m from any building on an adjoining site.	Complies: Easily complies	Complies: Easily complies
<p><u>Maximum site coverage:</u> 60 per cent of the total site area.</p>	Complies: ~ 36%	Complies: 37%
<p><u>Wall materials:</u> 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</p>	Complies: Colorbond	N/A – no new wall



constructed of natural stone.		
<u>Roof material:</u> Profiled metal, corrugated iron (non-reflective and muted tones).	Complies: Colorbond	Complies: Colorbond
<u>Colours:</u> 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.	Complies: Existing chalet uses suitable alpine tones of grey	Complies: Suitable alpine tones of grey

47. The table above shows that the proposed development complies with all requirements other than the minimum average requirement of 4 m from any other building on the same site. Chalet 4 has an existing average setback to its nearest building on the same site (Chalet 3) of 3.689 m. The proposed development of the new roof cover will reduce the average setback to 2.06 m. The reduction is considered acceptable in this instance because Chalet 3 has no existing pathways or entrances facing Chalet 4, (where the proposed roof cover will be constructed). Furthermore, all other chalets on the site include a roof cover, similar to the one proposed for Chalet 4, to ensure their respective pathways are provided with some form of snow protection.

## Environmental Considerations

### Geotechnical

48. The minor nature of the proposed development meets an exemption listed in the EMO1.

### Site Environmental Management Plan (SEMP) & Construction Waste Management Plan (CWMP)

49. As detailed earlier, the SEMP is considered satisfactory and will be endorsed to form part of any permit issued.

### Cultural heritage

50. The application information demonstrates adequate evidence that the site has been significantly disturbed and no Cultural Heritage Management Plan is considered to be required prior to the planning permit decision.

### Referral responses

51. The application required referral to the ARV and AusNet Services, for the provision of services. The ARV did not respond. AusNet Services required a note be included relating to services in the area.

52. All the notes are considered acceptable and should be included on any permit that issues.



## Recommendation

53. **It is recommended** Planning Permit No. PA2604169 for *Buildings and works to an existing building* at (Chalet 4), 36 The Avenue, Mount Buller, be issued subject to conditions.

## Conclusion

54. The development is generally consistent with the relevant planning policies of the Alpine Resorts Planning Scheme and will improve safety to the existing lodge.
55. The proposal is generally supported by referral authorities, subject to conditions.
56. **It is recommended that a Permit be** issued for Application No. PA2604169 being for *Buildings and works to an existing building* at (Chalet 4), 36 The Avenue, Mount Buller, subject to conditions.



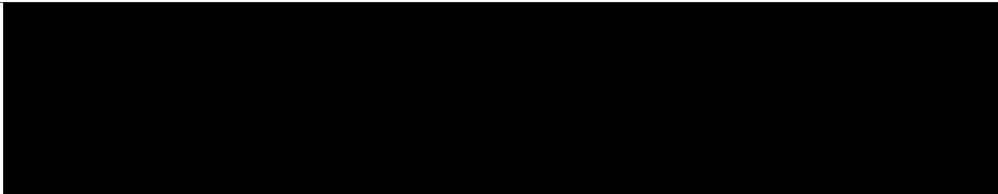
**Prepared approved by:**

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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:



Dated: 26 February 2026

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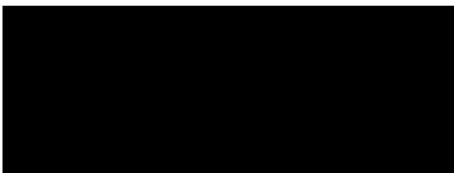
**Reviewed by:**

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Name:



Title:

Signed:



Phone:

Dated: 26/02/2026

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