

Northside Area, Mt Buller Ski Field, Mt Buller



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Officer Assessment Report Development Assessment



Department
of Transport
and Planning

OFFICIAL

Executive Summary

Key information	Details		
Application No.:	PA2403157		
Received:	26 August 2024		
Statutory Days:	185 (as of 4 June 2025)		
Applicant:	Buller Ski Lifts		
Planning Scheme:	Alpine Resorts		
Land Address:	Northside Area, Mt Buller Ski Field, Mt Buller		
Proposal:	Buildings and works, including the installation of a snow making building, concrete pad, snowmaking installations, slope regrading, gabion retaining wall, carpet ski lift, snow catching fences, service trenching and vegetation removal, (associated with the decommissioning of the Burnt Hut Spur water storage facility)		
Development value:	\$200,000.00		
Why is the Minister responsible?	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		
Why is a permit required?	Control	Clause	Trigger
Zone:	Comprehensive Development Zone Schedule 2 (CDZ)	Clause 37.02-4	Construct a building or construct or carry out works
Overlays:	Environmental Significance Overlay Schedule (ESO1)	Clause 42.01-2	Construct a building or construct or carry out works
	Environmental Significance Overlay Schedule 1 (ESO1)	Clause 42.01-2	Remove, destroy or lop any vegetation, including dead vegetation
	Environmental Significance Overlay Schedule 1 (ESO1)	Clause 42.01-2	Construct a fence
	Design and Development Overlay Schedule 3 (DDO3)	Clause 43.02-2	Construct a building or construct or carry out works
	Erosion Management Overlay Schedule 1 (EMO1)	Clause 44.01-2	Construct a building or construct or carry out works
	Erosion Management Overlay Schedule 1 (EMO1)	Clause 44.01-2	Remove, destroy or lop any vegetation
	Bushfire Management Overlay Schedule 1 (BMO1)	Clause 44.06-2	Construct a building or construct or carry out works for buildings associated with leisure and recreation use.
Particular Provisions:	Native vegetation	Clause 52.17	Remove, destroy or lop native vegetation, including dead vegetation
Cultural Heritage	Satisfactory evidence has been provided to suggest that a CHMP is not required because the land has been subject to significant ground disturbance.		
Land Uses:	Leisure and Recreation		
	No permit required		



Key information	Details
Referral authorities	<p>Alpine Resorts Victoria (ARV) (s.55 – determining, pursuant to Clause 7.0 of Schedule 2 to CDZ)</p> <p>Alpine Resorts Victoria (ARV) (s.55 – recommending, pursuant to Clause 7.0 of Schedule 1 to EMO)</p> <p>Department of Energy, Environment and Climate Action (DEECA) (s.55 – determining, pursuant to Clause 7.0 of Schedule 2 to CDZ)</p> <p>Department of Energy, Environment and Climate Action (DEECA) (s.55 – determining, pursuant to Clause 4.0 of Schedule 1 to ESO)</p> <p>Department of Energy, Environment and Climate Action (DEECA) (s.55 – recommending, pursuant to Clause 66.02-2 (Native vegetation)</p> <p>Country Fire Authority (CFA) (s.55 – determining, pursuant to Clause 44.06)</p> <p>Goulburn Murray Water (GMW) (s.55 – determining, pursuant to Clause 66.02-5)</p> <p>AusNet Services (s.55 – determining, pursuant to Clause 7.0 of Schedule 2 to CDZ).</p>
Notice	<p>ARV (s.52 notice, pursuant to Clause 8.0 of Schedule 2 to CDZ)</p> <p>DEECA (s.52 notice, pursuant to Clause 5.0 of Schedule 3 to DDO and Clause 8.0 of Schedule 2 to CDZ)</p> <p>Mansfield Shire Council (s.52 notice, pursuant to Clause 8.0 of Schedule 2 to CDZ)</p>
Public Notice	<p>Notice of the application was undertaken by the applicant at the direction of the Department in the following manner:</p> <ul style="list-style-type: none">• To give notice under section 53(1) of the Act by mail or email to the leaseholders and sub-lessees of Spurs Restaurant• To display a copy of the notice on site• To display a copy of the notice at Mt Buller Alpine Resort office. <p>No objections have been received to date.</p>
Delegates List	<p>Approval to determine under officer delegation received by Manager on 4 June 2025.</p>



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

Milestone	Date
Pre-application meeting	N/A
Application lodgement	28 August 2024
Further information requested	10 and 18 and 20 September 2024 and following approval of C31alpr 1 November 2024
Further information received	16 January 2024
Further plans submitted (formally under section 50 of the Act)	25 November 2024, 19 December 2024 and 27 February 2025
Further informally substituted sketch plans submitted (date)	N/A
Decision Plans	<ul style="list-style-type: none"> • ‘Elevations of Snowmaking Building’ plans, prepared by Buller Ski Lifts, titled ‘Burnt Hut Spur, Water Storage Restoration, All-weather Snowmaking Unit Design Drawings and Elevations’ and dated 20 October 2024 (2 pages). • ‘Photos of Snowmaking Building to be Relocated’, prepared by Buller Ski Lifts and not dated (4 pages). • ‘Carpet Ski Lift Site Plan & Photos’, prepared by Buller Ski Lifts, and dated 24 October 2024 (6 pages). • ‘Gabion Retaining Wall’ plans, prepared by EJM and dated 22 October 2024 (1 page). • ‘Pad’ plans, prepared by EJM and dated 24 October 2024 (1 page). • ‘Snow Fence’ plan, prepared by EJM and dated 22 October 2024. • ‘Project Overview’ plan, prepared by Buller Ski Lifts and dated 30 October 2024 (1 page). • ‘Site Construction Management Plan & Rehabilitation and Revegetation Plan’, prepared by Buller ski Lifts and dated 26 February 2025 (11 pages). • ‘Site Environmental Management Plan’ (SEMP), prepared by Edward Mahon, dated and signed 15 August 2024 (13 pages). • ‘Site and Lease Area’ plan, prepared by Buller Ski Lifts and dated 15 August 2024 (2 pages). • ‘Stage 1 Earthworks’ plan, prepared by Taylor Consulting Engineers and dated 8 November 2024 (5 pages). • ‘Stage 2 Earthworks’ plan, prepared by Taylor Consulting Engineers and dated 8 November 2024 (4 pages). • ‘Flora and Fauna Assessment’ report, prepared by Biosis and dated 28 January 2025 (77 pages). • ‘Geotechnical assessment and Landslide Risk Assessment’ prepared by GHD and dated 19 December 2024 (67 pages). • ‘DDO3 response’, prepared by Buller Ski Lifts and not dated (1 page).

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- 'Bushfire Management Statement', prepared by Buller Ski Lifts and dated 18 August 2024 (21 pages).
 - 'Cover letter', prepared by Buller Ski Lifts and dated 26 August 2024 (3 pages).
 - 'Cover letter', prepared by Buller Ski Lifts and dated 25 November 2024 (4 pages).
 - 'RFI response cover letter', prepared by Buller Ski Lifts and dated 27 February 2025 (2 pages).
 - 'Aboriginal Heritage Act Practice Note', prepared by Buller Ski Lifts and not dated (3 pages).
 - 'Aboriginal Heritage Act Practice Note Response Appendix', prepared by Buller Ski Lifts and not dated (12 pages).
 - 'Title', created 8 March 2024 (1 page).
 - 's48 Notification to Owner' email, dated 26 August 2024 (1 page).
 - Application Form.
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2. The subject of this report is the decision plans (as described above).

3. The proposal can be summarised as follows:

- The decommissioning of existing (and redundant) Burnt Hut Spur potable water storage facility (no permit required)
- Buildings and works for the installation of a snow making building and associated concrete pad.
- Buildings and works for the installation of snow making installations (guns).
- Construction of a gabion wall
- Installation of a carpet ski lift (magic carpet)
- Installation of a snow catching fence
- Associated service trenching
- Slope regrading (earthworks)
- The removal of native vegetation.

4. Specific details of the application (referred to as 'the Project') include:

Snow making building and concrete pad:

- The installation of a snow making building comprising of a 12.19m length and a 2.43m width with a maximum overall height of 8.5m. (Refer to Figures 1 and 2).
- The building will be constructed comprising of metal walls in a white matte finish and exposed galvanised steel.
- The snow making building will be relocated to the proposed location. (Refer to Figure 3 for existing location of snow making building).

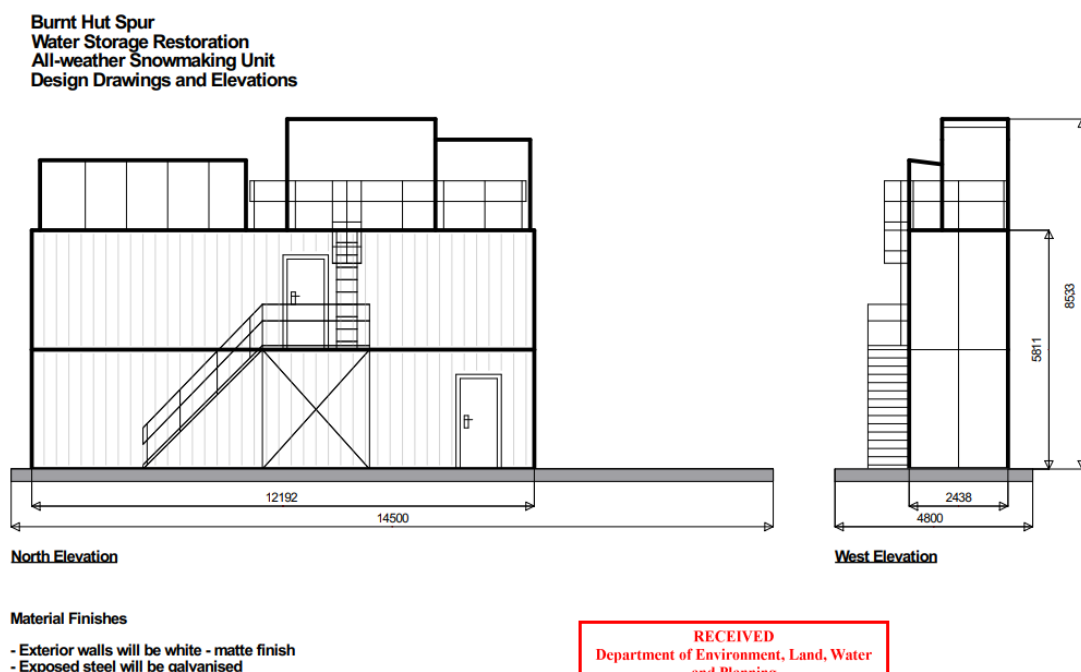


Figure 1: Snow making building elevations (Source: Application)



Figure 2: Photograph of existing snow making building to be relocated (Source: Application)

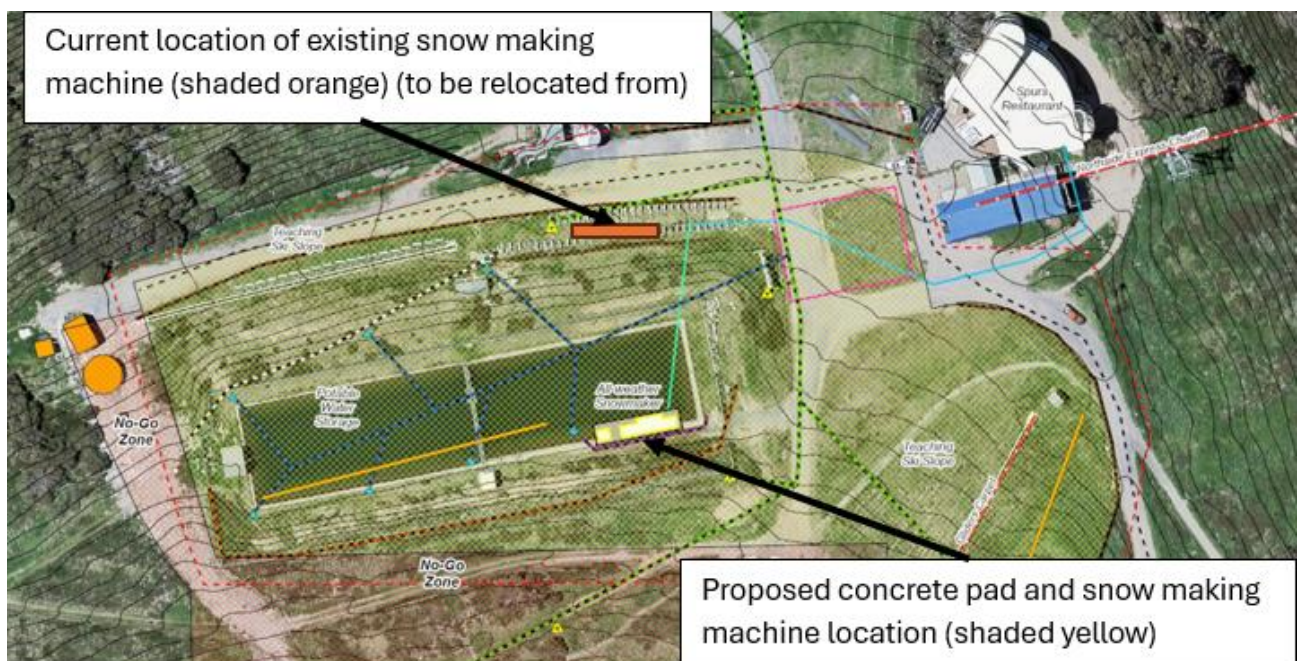


Figure 3: Existing location of snow making building (before relocation) (Source: Application)

- The snow making building will be installed on a concrete pad measuring 14.5m by 4.8m. (Refer to Figure 4).

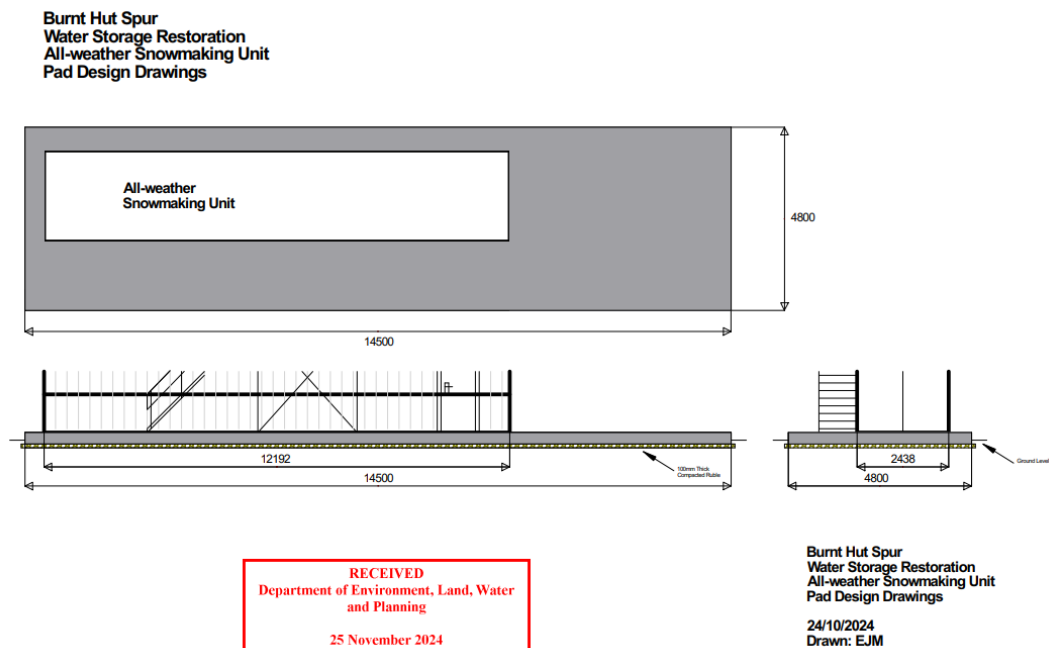


Figure 4: Concrete pad design (Source: Application)

Snow making installations (guns):

- The installation of 7 snow making guns strategically located. (Refer to Figure 5)

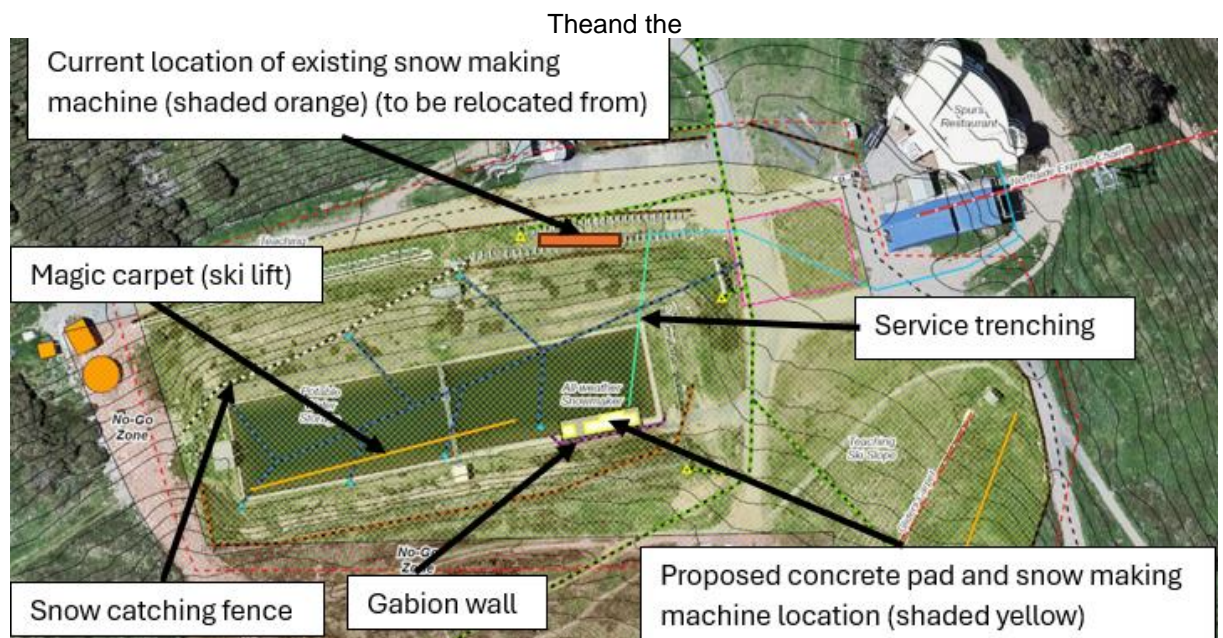


Figure 5: Location of snow making guns (identified by a blue triangle). Gabion wall (pink and blue dash line). Magic carpet (ski lift) (mustard colour). Snow catching fence (black and white dash line). Service trench (light green line) (Source: Application, (modified by DTP))

Gabion wall:

- The construction of a 24m long and 2m high gabion wall located to the south side of the new snow making building. (Refer to Figure 5 for location and Figure 6 for elevation).

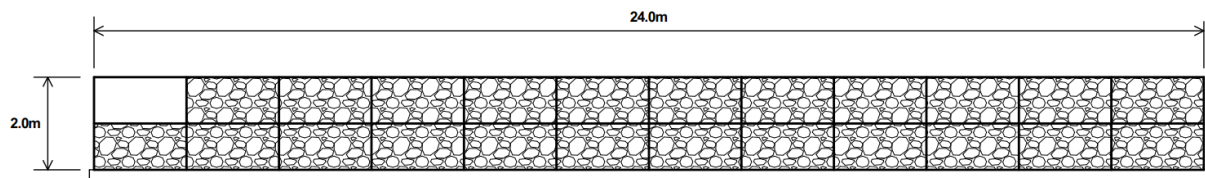


Figure 6: Gabion wall elevation (Source: Application)

Carpet ski lift:

- The installation of a magic carpet ski lift, comprising a length of 65m. (Refer to Figure 5 for location).

Snow catching fence:

- The installation of a snow catching fence north of the proposed magic carpet. (Refer to Figure 5 for location).
- The fence will be 2.5m high and approximately 75m long. (Refer to Figure 7 for elevation and section).

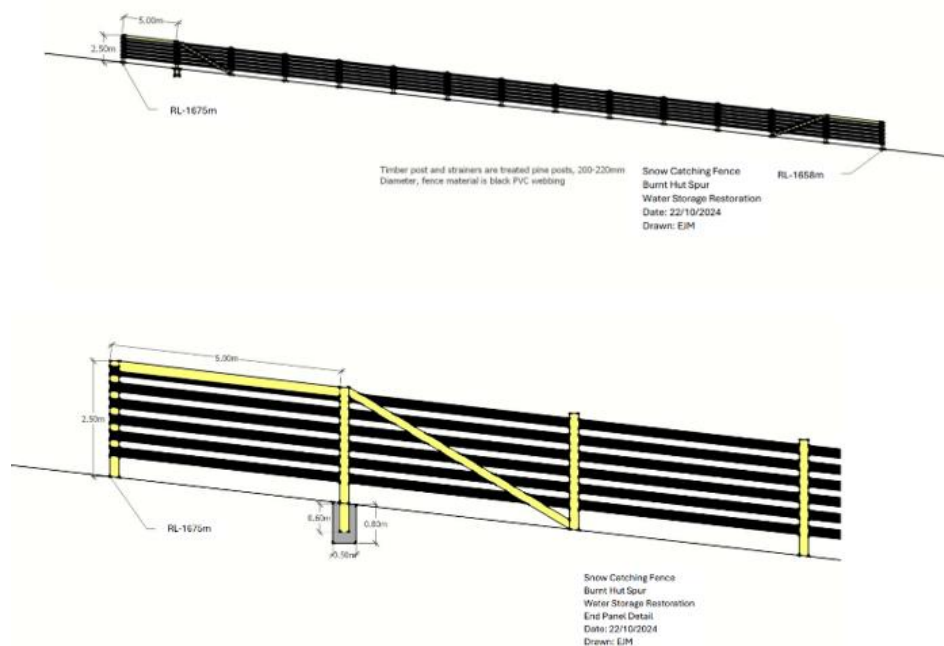


Figure 7: Snow catching elevation and section (Source: Application)

Service trenching:

- Trenching for electricity will run from the proposed snow making building and connect to the existing services located to the north (which is where the existing snow making building will be relocated from). (Refer to Figure 5 for location).

Slope regrading (earthworks):

- The subject site will be regraded to allow it to become usable ski slope for the use of existing ski instructors and day visitors.
- Stage 1 involves approximately 5,187 cubic metres of cut, 5,186 cubic metres of fill with a net cut of 0.89 cubic metres and involves a maximum of between 2-3m of cut or fill. (Refer to Figure 8).

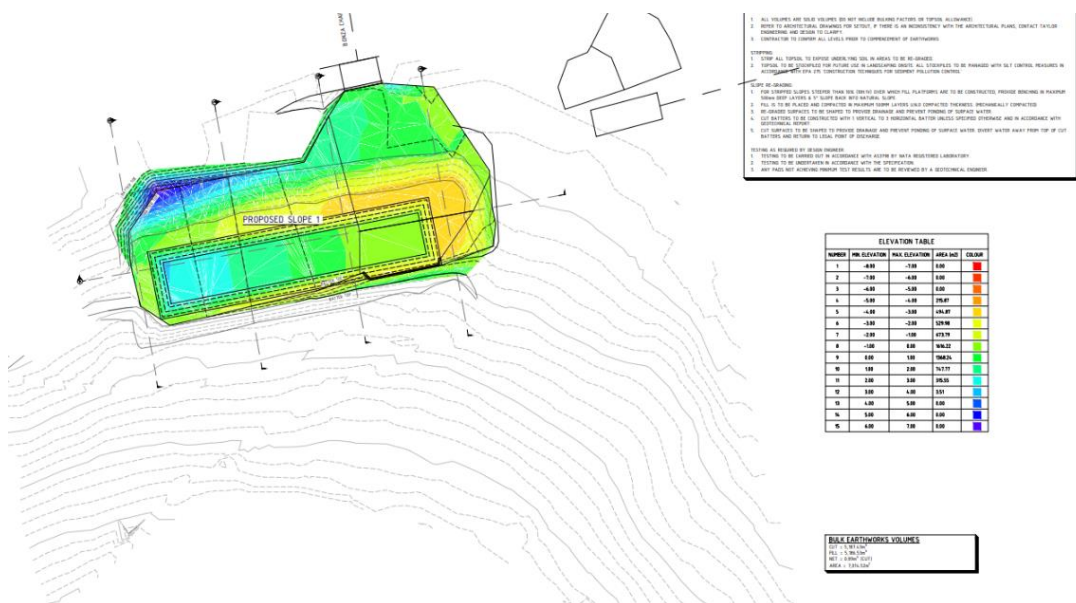


Figure 8: Stage 1 slope regrading (Source: Application)

- Stage 2 involves approximately 2,874 cubic metres of cut, 2,870 cubic metres of fill with a net cut of 4.4 cubic metres and involves a maximum of between 1-2m of cut or fill.



Figure 9: Stage 2 slope regrading (Source: Application)

Native vegetation removal:

- The removal of 0.154 hectares of native vegetation (patch vegetation) and no large trees from within location Category 3. (Refer to Figure 10).

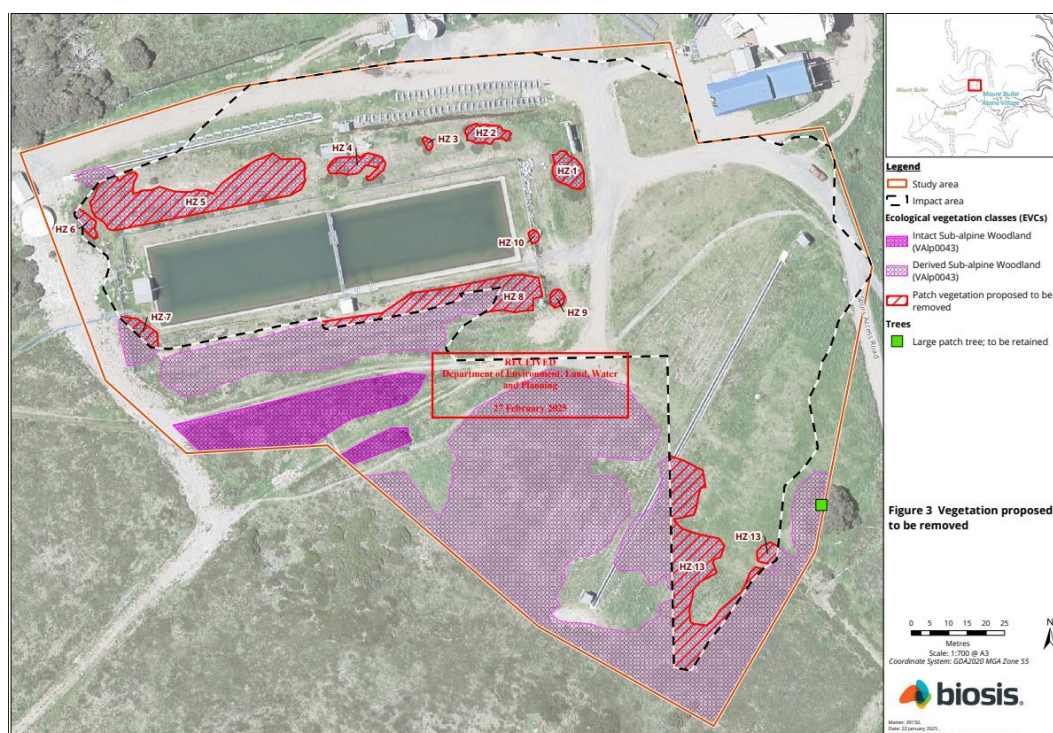


Figure 10: Vegetation proposed to be removed (Source: Application)

Site Description

5. The site is located within the Mount Buller ski fields, referred to as the Northside area and is located approximately 600m north west of Mount Buller Village. (Refer to Figure 11).



Figure 11: Location of site (Source: Application)

6. The site is where the existing Burnt Hut Spur potable water storage facility currently existing which has now become redundant. It is located approximately 20m and 30m west from the Northside Express Chairlift Station and Spurs Restaurant respectively. (Refer to Figure 3).
7. The land tenure is Crown land which is leased by Buller Ski Lifts (the permit applicant).
8. The site is on sloping. The land, which has previously been disturbed, contains patches of native vegetation.

Site Surrounds

9. The surrounding development consists mainly of buildings used for commercial and ski field infrastructure.
10. Development surrounding the site can be described as follows:
 - To the **north** of the site: Bonza Chairlift Station, Operators Hut and open ski fields.
 - To the **south** of the site: Open ski fields.
 - To the **east** of the site: Northside Express Chairlift Station, Spurs Restaurant and open ski fields.
 - To the **west** of the site: Open ski fields.



Planning Policy Framework

12. 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.
13. The following policies are considered relevant to this application:

Clause no.	Description
12.01-1S	Protection of biodiversity
12.01-2S	Native vegetation management
12.04-1S	Sustainable development in alpine areas
13.02-1S	Bushfire planning
13.04-2S	Erosion and landslip
15.03-2S	Aboriginal cultural heritage
17.04-1S	Facilitating tourism

Local Planning Policy Framework

14. 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.
15. The MSS within the Alpine Resorts Planning Scheme identifies the objectives and strategies for the Mount Buller alpine resort.
16. The following clauses are relevant:

Clause no.	Description
12.01-1L	Protection of biodiversity in alpine resorts
12.04-1L	Sustainable development – alpine resorts
12.04-1L	Sustainable development – Mt Buller Alpine Resort
13.04-2L	Erosion and landslip in alpine resorts
17.04-1L	Alpine tourism

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

Statutory Planning Controls

Clause 37.02 – Comprehensive Development Zone, Schedule 2 (CDZ2)

18. The land is affected by the CDZ2.
19. The relevant purposes of the CDZ2 are to develop and use land in alpine resorts for passive and active recreation and to minimise impacts on areas of significant vegetation.
20. A planning permit is not required for the use of the land for 'leisure and recreation'.
21. A planning permit is triggered to construct a building or construct or carry out works pursuant to the CDZ2.
22. The CDZ2 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 Project responds to these requirements.



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

23. A planning permit is required to construct a building or construct or carry out works pursuant to the EMO1.
24. A planning permit is required to remove, destroy or lop any vegetation pursuant to the EMO1.
25. The objective of the EMO1 include:
 - *To ensure that development can be undertaken at a tolerable risk to human life and property from landslide and slope instability.*
26. The EMO1 includes application requirements to include a Geotechnical Assessment accompanied by a Landslide Risk Assessment. The following sections include discussion of how the Project responds to these requirements.


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

27. A planning permit is required to construct a building or construct or carry out works associated with 'leisure and recreation', pursuant to the BMO1.
28. The relevant purposes of the BMO include:
 - *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.*
29. Clause 44.06-3 specifies that an application under the BMO must be accompanied by:
 - A bushfire hazard site assessment
 - A bushfire hazard landscape assessment
 - A bushfire management statement.
30. The clause states that if these requirements are not deemed relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

Clause 43.02 – Design and Development Overlay, Schedule 3 (DDO3)

31. A planning permit is required to construct a building or construct or carry out works pursuant to the DDO3.
32. The objectives of the DDO3 include:
 - *To ensure that development within the Mt Buller ski fields creates and enhances an identifiable individual resort character.*
 - *To ensure development is not visually intrusive when viewed from key public vantage points within the Village, from Mt Buller Access Road and surrounding ski fields.*
 - *To ensure development within the ski fields is visually attractive and functionally effective all year round, particularly at key interfaces with the Village such as the Village Square, Helicopter Flat and lease sites having frontage to the ski fields.*
 - *To minimise the visual impact of snowfield infrastructure and facilities upon the landscape values of the Resort.*
 - *To ensure development is sited and designed to avoid and minimise impacts to indigenous vegetation, fauna and natural features.*
33. The DDO3 decision guidelines include requirements for consideration, including whether the proposal meets the objectives of the overlay, the appropriateness of the siting, the appropriateness of materials, finishes and colours and how well they respond to year-round climatic conditions.

Clause 42.01 – Environmental Significance Overlay, Schedule 1 (ESO1)

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34. A planning permit is triggered to construct a building or construct or carry out works and to remove, destroy or lop any vegetation, including dead vegetation.
35. The environmental objectives aim to preserve, enhance and prevent the destruction of the Mountain Pygmy-possum (*Burramys parvus*) habitat.

Particular provisions

Clause 52.17 – Native vegetation

36. Clause 52.17 sets out the requirements for native vegetation. A planning permit is required for the removal of native vegetation pursuant to this provision. The purpose of Clause 52.17 is:
- *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) the Guidelines:*
 1. *Avoid the removal, destruction or lopping of native vegetation.*
 2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
 3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*
 - *To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.*
37. The proposed vegetation removal falls within the Detailed Assessment Pathway and occurs within Location 3.
38. The following sections include a discussion of how the proposal responds to these requirements.

Operational Provisions

Clause 65.01 – Approval of an application or plan

39. 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

40. 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

41. The application was referred to the following groups:

Provision/ Clause	Organisation	Response Received (date)
<i>Section 55 Referral - Recommending (Clause 7 of Schedule 1 to the EMO (44.01) for 'all applications.'</i>	Alpine Resorts Victoria, (ARV)	<u>28 April 2025</u> No objection subject to conditions.
<i>Section 55 Referral - Determining (Clause 7 of Schedule 2 to the CDZ (37.02) for 'any use or development which requires connection to reticulated services.'</i>	Alpine Resorts Victoria, (ARV)	<u>23 September 2025</u> No objection subject to conditions.
<i>Section 55 Referral - Determining (Clause 4.0 of Schedule 1 to ESO (42.01) for 'all applications.'</i>	Department of Energy, Environment and Climate Action (DEECA)	<u>28 March 2025</u> No objection and no conditions.
<i>Section 55 Referral - Determining (Clause 7.0 of Schedule 2 to CDZ (37.02) for 'any use or development that involves alteration to the topography.'</i>	Department of Energy, Environment and Climate Action (DEECA)	<u>28 March 2025</u> No objection and no conditions.
<i>Section 55 Referral - Recommending (Clause 66.02-2) to 'remove native vegetation in the detailed assessment pathway as defined in the Guidelines.'</i>	Department of Energy, Environment and Climate Action (DEECA)	<u>28 March 2025</u> No objection and no conditions.
<i>Section 55 Referral - Determining (Clause 44.06-6 (BMO) for 'an application under the overlay other than an application to construct a building or carry out works associated with a dwelling or an application to subdivide land.'</i>	Country Fire Authority (CFA)	<u>3 September 2025</u> No objection and no conditions.
<i>Section 55 Referral - Determining (Clause 7 of Schedule 2 to the CDZ (37.02) for 'any use or development which requires connection to reticulated services.'</i>	AusNet Services	<u>2 September 2024</u> No objection subject to one note.
<i>Section 55 Referral - Determining (Clause 66.02-5) for '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.'</i>	Goulburn Murray Water (GMW)	<u>7 October 2024</u> No objection subject to conditions.

Notice

42. 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 2 to Clause 37.02 (CDZ)
 - Schedule 1 to Clause 42.01 (ESO)
 - Schedule 3 to Clause 43.02 (DDO).
43. 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:
- Schedule 1 to Clause 44.01 (EMO)
 - Schedule 1 to Clause 44.06 (BMO).
44. Clause 8.0 of Schedule 2 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. Clause 5.0 of Schedule 3 to the DDO (Clause 43.02) also requires notice be given to the Secretary to the Department of Environment, Land, Water and Planning (DEECA) for 'any development.'
45. Notice was provided to the ARV on 30 August 2024 and on 23 September 2024 the ARV responded advising no objection subject to conditions. Notice was provided to Mansfield Shire Council on 5 March 2025 and on 17 April 2025 the council responded advising no objection and no conditions. Notice was provided to DEECA on 30 August 2024 who advised on 28 March 2025 that they have no objection subject to conditions.
46. The applicant was asked to undertake advertising of the application by:
- Displaying one sign on site.
 - Mail or email to:
 - the leaseholders and sub-lessees of Spurs Restaurant.
 - Displaying one copy of the notice at the Mount Buller Alpine Resort Management Office.
47. No objections have been received to date. Furthermore, it should be noted that Spurs Restaurant is leased to Buller Ski Lifts.



Planning Policy

Consistency with State and Local Planning Policies

48. 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.
49. The specific policies relevant to Mount Buller that apply, and a response to them, is provided as follows:
- To assist the protection and conservation of Victoria's biodiversity (Clause 12.01-1S).
 - Avoid impacts of land use and development on important areas of biodiversity (Clause 12.01-1S).
 - To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation (Clause 12.01-2S).
 - 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)
 - Minimise the environmental and visual impact of lift stations and associated infrastructure in the skifields by careful siting and design (Clause 12.04-1L).
 - 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 (Clause 13.02-1S).
 - To protect areas prone to erosion, landslip or other land degradation processes (Clause 13.04-2S).
 - To ensure that geotechnical hazards are managed throughout the resorts so as to minimise risk to property and persons (Clause 13.04-2L).
 - To ensure the protection and conservation of places of Aboriginal cultural heritage significance (Clause 15.03-2S).
 - 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).
 - To provide for year-round recreation, having regard to environmental, social, ecological, economic, aesthetic and safety considerations (Clause 17.04-1L).
50. The Project is consistent with the relevant policies. The Project will contribute to the sustainable development of Mount Buller by relocating an all-weather snowmaking building, snow making machines (guns), associated snow fencing and a magic carpet, all of which go towards contributing towards ensuring snow can be provided as needed which will promote tourism during the snow season. Likewise, the decommissioning of the now redundant Burnt Hut Spur potable water storage facility and regrading the area to make the land usable for skiing purposes will further contribute to the promotion of tourism.
51. The Project footprint has been designed to ensure the potential adverse impacts to the environment have been avoided and minimised where possible by making use of the redundant potable water storage facility and making the immediately surrounding area usable for skiing purposes. The location of the water storage building will not result in any loss of usable ski slope given it will be located in an area already disturbed and also located nearby existing skiing infrastructure and it will serve as an extension to existing ski slopes.
52. A geotechnical assessment and landslide risk assessment report has been submitted and the recommendations will be adopted to ensure the geotechnical risks associated with the Project will remain at a low level. The Project will not increase the risk to life or property from bushfire. The ski field area already exists and is utilised largely in the winter season when bushfire risk is low. The Project will be undertaken in accordance with the submitted SEMP, which will



be endorsed, (once modified to include additional minor requirements) and form part of the permit, ensuring that construction is undertaken appropriately.

Zoning and land use

53. The relevant purposes of the CDZ2 are to develop and use land in alpine resorts for passive and active recreation in accordance with sound environmental management and land capacity practices. The CDZ2 encourages minimising impacts on significant landscapes, vegetation and on habitat.
54. The Project's 'leisure and recreation' land use does not trigger a planning permit.
55. The Project is consistent with the purposes of CDZ2 given it seeks to develop infrastructure that supports the resort as a skiing destination and encourages active recreation associated with the use of the resort. The area where the proposed development will occur is on a highly disturbed land which in part occupies the burnt Hut Spur water storage facility with the nearby area occupying an existing ski slope, all of which have experienced extensive human activity for over 55 years. The existing potable water storage facility was constructed in 1965 and is no longer needed since the recently constructed 100 ML water storage facility nearby. Furthermore, the construction area is also outside the Mountain Pygmy Possum habitat area, thereby ensuring no impact to the habitat.
56. Construction will be undertaken in accordance with an approved Site Environmental Management Plan (SEMP) and Construction Management Plan (CMP) to protect waterbodies from sediment discharge and minimise impacts to biodiversity during construction. A Waste Management Plan (WMP) was not submitted and will be required to be submitted for approval. It will need to address how materials and waste will be appropriately disposed of, off the mountain. These measures will ensure the development is undertaken in accordance with sound environmental management and land capability practices that take into account the environmental significance of the area.
57. The SEMP is generally consistent with the requirements of Clause 4.3-3 of CDZ2. The SEMP includes a construction program and a Construction Management Plan. A detailed landscape and rehabilitation plan is provided that includes the species of plants to be used to rehabilitate the disturbed areas and how this will be done. DEECA reviewed the SEMP and related documents and raised two minor concerns. These are discussed later in this report.

Buildings and works

58. The proposed development should meet the design objectives of the DDO3, which essentially seek to minimise the visual impact of snowfield infrastructure and facilities upon the landscape values of the resort. It also seeks to ensure development within the skifields is visually attractive and functionally effective all year round. The DDO3 objectives seek to ensure development is sited and designed to avoid and minimise impacts to indigenous vegetation, fauna and natural features. The DDO3 also includes design requirements in relation to building height, colours and materials.
59. The proposed snow making building complies with the height requirements specified in the DDO3. The building will have a maximum height of approximately 8.5 m, which is well under the maximum permitted height of 15 m for skifield related buildings. In terms of wall and roof materials, the DDO3 criteria includes corrugated iron and profiled metal in its list of supported materials. The proposed cladding of the snow making building will be constructed using metal with exposed galvanized steel in a matte white colour. The material selected is suitable within the alpine landscape in terms of lasting and being able to withstand the harsh alpine weather and conditions.
60. Colours should utilise natural alpine colour tones. The use of white colour is considered suitable given:
 - Matte white is commonly used for ski field equipment, locally and internationally. At Mount Buller, the top and bottom stations of the Abom Express chairlift and the Bourke Street Express chairlift both use matte white finishes over extensive parts of their structure.
 - Using a matte white finish to a snow making building means that the building doesn't get as warm inside, making it more energy efficient to fulfill its purpose, which is to produce the snow.
 - Matte white is the colour the unit is manufactured and delivered in, which is a similar colour to the snow making building which was approved at the top of the Bourke Street ski slope.
 - The proposed colour is not a reflective white and is not glaring to look at.



- The location where the building will be sited is a flat area and amongst other snowmaking infrastructure and a ski lift terminal station and is naturally hidden from vantage points across the mountain. The proposed building cannot be sighted from the Mt Buller Access Road or the Mount Buller Village.
61. As such, the proposed snow making building satisfies the design objectives of the DDO3 as the visual impact upon the landscape will be minimal. The development will not be visible from key vantage points within the Mt Buller Village or surrounding skifields and the building will be sited to an already disturbed area which is where the Burnt Hut Spur potable water storage facility existed.
62. The proposal includes other buildings or structures such as the installation of seven snow making guns, a gabion retaining wall, a magic carpet and a snow catching fence. These are all minor, associated with skiing facilities and are all appropriately located to serve their intended purpose.

Site Environmental Management Plan (SEMP)

63. A SEMP is required to be provided as part of the CDZ requirements. DEECA as a statutory referral authority reviewed the SEMP and it was found to be generally satisfactory. However, a condition of permit will require it be amended to include specific risk-mitigation measures regarding prevention of fauna entrapment and pre-construction wildlife checks. This is a reasonable request and a condition will be included to address this. Once satisfactory, the SEMP will be endorsed to form part of the permit and all works will need to be undertaken in accordance with the SEMP approved.

Geotechnical risks and earthworks

64. The site is within an area identified as prone to erosion and landslip. A preliminary geotechnical assessment report was initially provided with the application, in accordance with the requirements at that time. However, since the approval of C31alpr on 25 October 2024, the application requirements for a planning application changed without any transitional arrangements. Since the subject land was still affected by the new mapping of the EMO, the new application requirements applied. As such, on 1 November 2024, the applicant was requested to provide a Geotechnical Assessment accompanied by a Landscape Risk Assessment. On 19 December 2024, the applicant submitted the necessary document which was re-referred to the ARV as a recommending referral authority. The ARV reviewed the revised report and were satisfied as long as all buildings and works are carried out in accordance with the recommendation of the revised report.
65. The revised report considered the extent of earthworks proposed, which includes slope regrading. The earthworks have been separated into two separate stages, Stage 1 and Stage 2. Stage 1 includes the slope regrading associated with the area where the Burnt Hut Spur potable water storage facility previously existed, whereas Stage 2 area includes the area south of Stage 1 and adjacent to an existing magic carpet, (referred to as Gliders Carpet Lift).
66. Engineer prepared plans for each stage have been provided which include detailed information regarding the extent of cut and fill and the location where this will occur.
67. DEECA as a statutory referral authority recommended that prior to the commencement of any works, the Stage 2 earthworks plans be revised to include the Project 'no-go' zones and to include the areas of vegetation to be retained, before the plans are endorsed. This is a reasonable request and will be included as a permit condition.
68. Overall, subject to the inclusion of revised Stage 2 earthworks plans and provided that the recommendations of the Geotechnical Assessment and associated Landslide Risk Assessment are adhered to during construction, the risk to property will be 'low' and therefore the proposed works will be able to be appropriately managed.

Bushfire hazard

69. The application was referred to the CFA as a statutory referral authority. The CFA responded advising that given the type of application, no conditions are required to be included in any permit issued. Notwithstanding that, the mandatory condition as per Clause 44.06-5 of the Scheme will be included in any permit issued.
70. Furthermore, the proposed buildings and works will not detrimentally impact the resilience of the existing buildings within close proximity of the development site and therefore it is not considered that there will be a net increase in risk from bushfire.



Native vegetation removal & ecological value

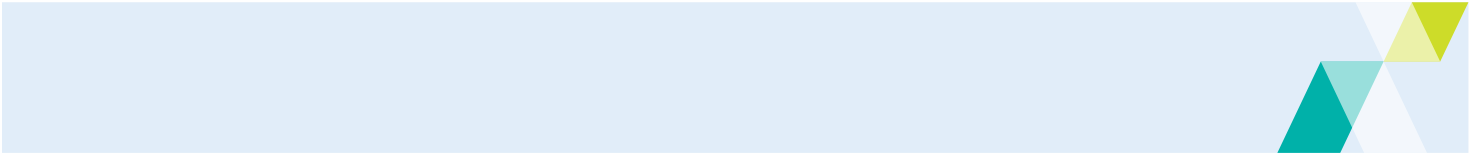
71. The applicant submitted a Flora and Fauna report, prepared by Biosis, which found that 0.154 hectares of native vegetation, comprising of native patch vegetation, would be removed as a result of the proposed buildings and works. The planning permit application was assessed on the detailed assessment pathway, which required the application to be referred to DEECA as a recommending referral authority.
72. The 3 step approach (avoid, minimise and offset) required to be considered pursuant to Clause 52.17 has been appropriately addressed. The steps that have been taken during the design of the development to ensure that impacts on biodiversity from the removal of native vegetation have been minimised and include:
 - Avoiding direct impact of higher quality areas of native vegetation just past the western and southern boundary of the study area.
 - Placement of the proposed construction footprint as much as possible within existing areas of disturbed ground.
73. DEECA were satisfied that the 3-step approach has been appropriately satisfied and provided suitable conditions regarding the provision of 0.0960 general habitat units with a minimum strategic biodiversity value of at least 0.7191. These conditions will be included in any permit issued.
74. As discussed earlier, DEECA required the SEMP be revised to include conditions around fauna entrapment and ensuring work areas are free of wildlife prior to the commencement of construction and wildlife removal. This is required because the Alpine Bog Skink, Tussock Skink and Broad toothed Rat are known to be within the vicinity of the site.
75. However, when considering the ESO1, it refers to the Mountain Pygmy-Possum and the overlay seeks to ensure its habitat is preserved and enhanced and not destroyed or fragmented. The Project is located outside the Mountain Pygmy-Possum habitat area and therefore the Project will not result in any impact to the pygmy-possum habitat.

Connection to services

76. The relocated snow making building will be connected to the existing electricity line located to its north and approximately 30 m away (where the existing snow making building currently is located before it is relocated). A condition of permit will require that the relocation of and the connection to any services are to be done at the expense of the permit holder or developer and be to the satisfaction of the utility service provider.

Consideration and potential impact to 100 ML water storage facility constructed under PA1600138-1

77. Informal comments were sought by DEECA in relation to potential impact that the proposed Project may have on the recently constructed 100 ML water storage facility nearby.
78. DEECA raised no concerns and provided the following comments:
 - The proposed decommissioning of the Burnt Hut water storage area is adjacent to the recently constructed 100ML Mount Buller water storage facility site, which is subject to specific planning permit conditions, including the Hydrological Environmental Monitoring and Adaptive Management Program (HEMAMP) specifically designed to monitor the health of Alpine Bog communities below the water storage.
 - Both project areas and proposed impacts at this project (Burnt Hut project site) relative to current HEMAMP monitoring sites and the Boggy Creek catchment have been assessed. There is a minor overlap of the revegetation areas outlined in PA1600138-1 and the proposed area of impact at the Burnt Hut project site.
 - The Burnt Hut decommissioning project site is within an historically disturbed area and the Flora and Fauna Assessment Report (Biosis, 2025) describes the specific areas of overlap as low quality Sub-alpine Woodland EVC 43 derived shrubland.
 - The proposed works at Burnt Hut are not located in areas that will negatively influence sites within the HEMAMP area and Upper Boggy Creek catchment. Therefore, it is highly unlikely the proposed decommissioning works will specifically impact the catchment and Alpine Bog communities.

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79. Furthermore, the decommissioning of the Burnt Hut Spur water storage facility was always planned to be decommissioned as part of the overall 100ML water storage facility project.

Referral responses

80. The CDZ2 requires the application to be referred to utility providers and requires the land to be adequately serviced. As such, given the proposed snow making building and snow guns will be connected to electricity and water, it was referred to AusNet Services and Goulburn Murray Water respectively. AusNet Services required one note be included regarding underground power lines and Goulburn Murray Water required two conditions be included relating to construction being undertaken in accordance with EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023) and all works be undertaken in accordance with the SEMP submitted with the application.
81. The application did require referral to DEECA (through the ESO1), the CFA (through the BMO1) and the ARV (through the CDZ2 and the EMO1).
82. In response, DEECA required conditions regarding the protection of retained vegetation, amended earthworks plan for Stage 2 and the SEMP to be amended. The CFA did not require any conditions.
83. The ARV did provide standard conditions be included relating to the endorsement of the geotechnical assessment as well as conditions on services and damage to Mount Buller Alpine Resort infrastructure.
84. All the conditions and notes are considered acceptable and should be included on any permit that issues.

Aboriginal Cultural Heritage Management Plan (CHMP)

85. The development site is in an area which was previously disturbed and therefore a CHMP is not required to be submitted. The applicant provided information that the development site was exposed to ground disturbance since 1965 when the Burnt Hut Spur potable water storage facility was constructed. A map was provided that shows the areas of previously disturbed ground. (Refer to Figure 12). The applicant also provided numerous other images as evidence that the land has been significantly disturbed.

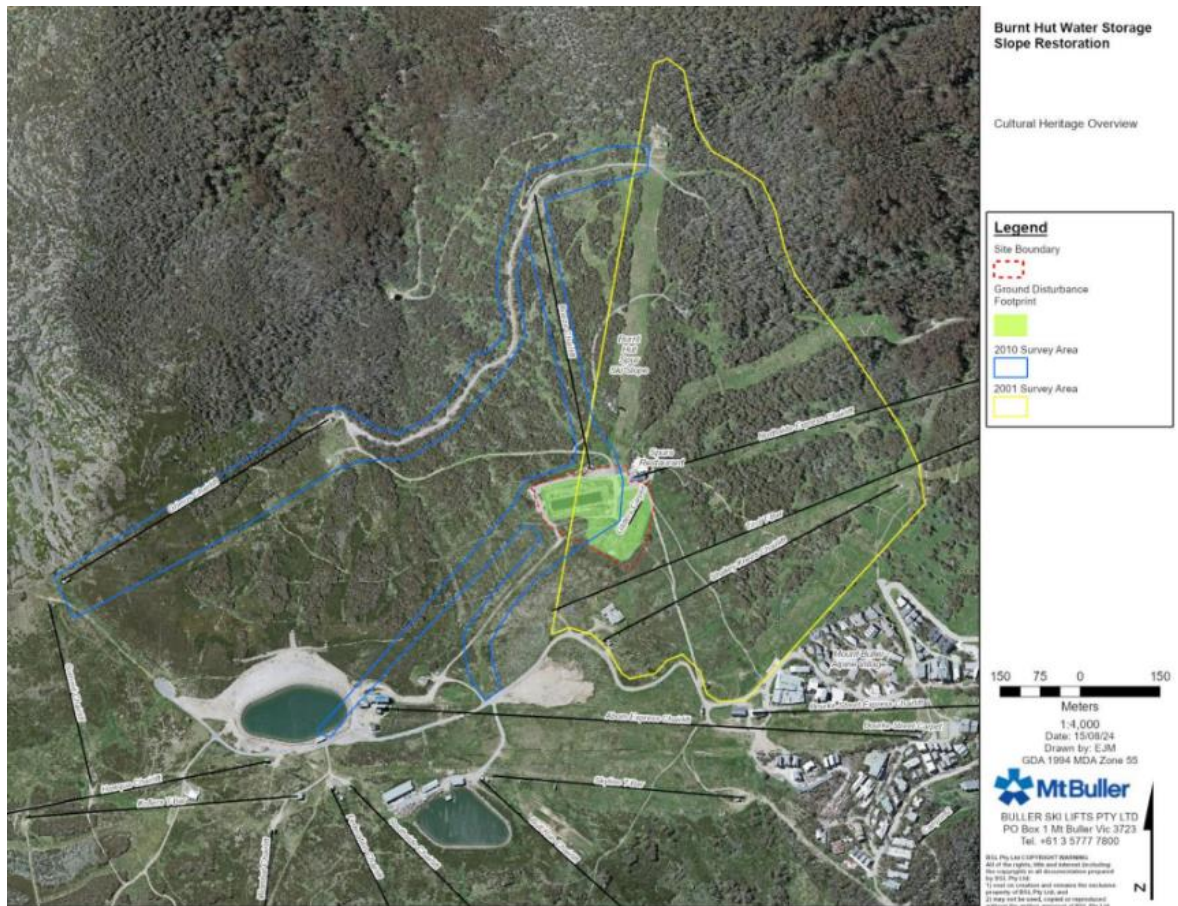


Figure 12: Area of previously significantly disturbed ground (Source: Application)



Recommendation

86. **It is recommended** Planning Permit No. PA2403157 for Buildings and works, including the installation of a snow making building, concrete pad, snowmaking installations, slope regrading, gabion retaining wall, carpet ski lift, snow catching fence, service trenching and vegetation removal, (associated with the decommissioning of the Burnt Hut Spur water storage facility) at Northside Area, Mt Buller Ski Field, Mt Buller, subject to conditions.

Conclusion

87. The development is generally consistent with the relevant planning policies of the Alpine Resorts Planning Scheme and will improve the ability to provide snow when required and improve the existing ski area.
88. The proposal is generally supported by referral authorities, subject to conditions.
89. **It is recommended that a Permit be issued** for Application No. PA2403157 being for Buildings and works, including the installation of a snow making building, concrete pad, snowmaking installations, slope regrading, gabion retaining wall, carpet ski lift, snow catching fence, service trenching and vegetation removal, (associated with the decommissioning of the Burnt Hut Spur water storage facility) at Northside Area, Mt Buller Ski Field, Mt Buller, subject to conditions.

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:		Signed:	
Title:			
Phone:		Dated:	4 June 2025

Reviewed by:

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

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Name:		Signed:	
Title:			
Phone:		Dated:	5/06/2025

