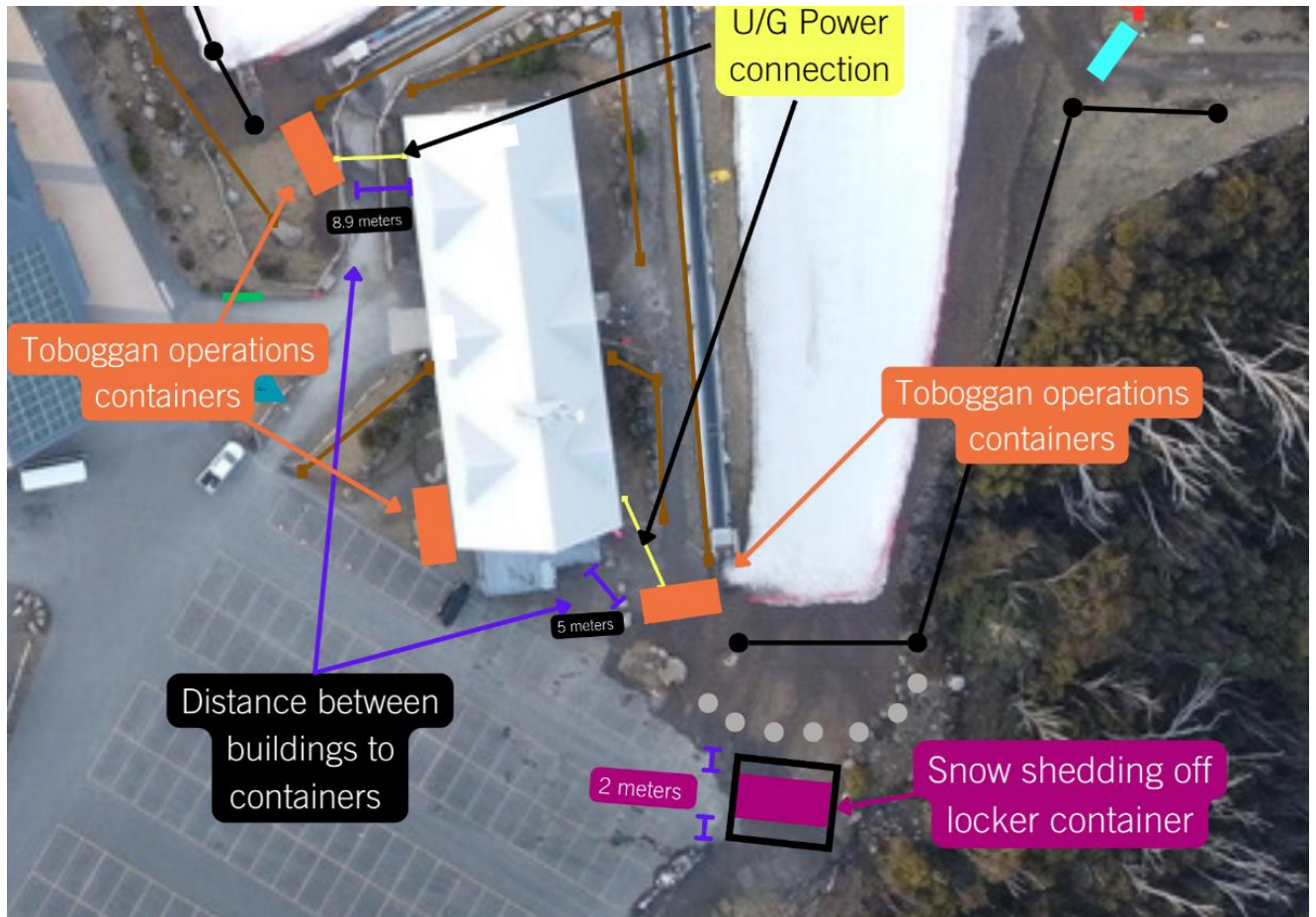


PA2503593

1071 Lake Mountain Road, Marysville



The State of Victoria Department of Transport and Planning

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Officer Assessment Report
Development Assessment



Department
of Transport
and Planning

OFFICIAL

Executive Summary

Key information	Details		
Application No.:	PA2503593		
Received:	11 March 2025		
Statutory Days:	5 (as of 21 May 2025)		
Applicant:	Alpine Resorts Victoria (ARV) [REDACTED]		
Planning Scheme:	Alpine Resorts		
Land Address:	1071 Lake Mountain Road Marysville		
Proposal:	Buildings and works for the installation of 4 container buildings (to facilitate ticket services and locker facilities)		
Development value:	\$30,000		
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 1 (CDZ)	Clause 37.02-4	Construct a building or construct or carry out works
Overlays:	Bushfire Management Overlay Schedule 1 (BMO)	Clause 44.06-2	Construct a building or construct or carry out works associated with 'Leisure and recreation'
Particular Provisions:	N/A		
Cultural Heritage	The activity is located within land that has been significantly disturbed and is therefore exempt from requiring a Cultural Heritage Management Plan (CHMP).		
Referral authorities/Notice	Alpine Resorts Victoria (s.55 – determining) AusNet Services (s.55 - determining) Country Fire Authority (CFA) (s.55 – determining) Goulburn Murray Water (GMW) (s.55 – determining) ARV (s.52 notice) Murrindindi Shire Council (s.52 notice) Yarra Ranges Council (s.52 notice).		
Public Notice	Notice of the application under section 52 of the Act was not required because it was considered that no one would be affected by the proposed development. (Refer to Advertising Memo signed 14 April 2025). It should also be noted that notice of the application was given to the ARV, Murrindindi Shire Council and Yarra Ranges Council as required pursuant to Clause 8.0 of Schedule 1 to the CDZ.		
Delegates List	N/A		



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

Milestone	Date
Application lodgement	11 March 2025
Further information requested	18 March 2025
Further information received	16 May 2025
Further plans submitted (formally under section 50 of the Act)	N/A
Further informally substituted sketch plans submitted (date)	N/A
Decision Plans	<ul style="list-style-type: none">• 'Locker elevation' plans, prepared by Lake Mountain Alpine Resort, not dated (1 page)• 'Operation container' plans, prepared by Lake Mountain Alpine Resort, not dated (1 page)• 'Site plan', prepared by Lake Mountain Alpine Resort, not dated (1 page)• 'Site Environmental Management Plan' (SEMP), prepared by Lake Mountain Alpine Resort, dated and signed 20 May 2025 (12 pages)• 'Planning Report', prepared by Lake Mountain Alpine Resort, not dated (10 pages)• Bushfire Management Overlay Response, prepared by ARV and dated 11 March 2025 (1 page).

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

Subject Site and Surrounds

Site Description

3. The site is located within the land known as 1071 Lake Mountain Road, Marysville.
4. The operations containers (ticket booths) and locker container will be in the existing toboggan park in Lake Mountain Alpine Resort, near the existing café and shop buildings. (Refer to Figures 1 and 2).





-  Approximate location of 'ticket booth'
-  Approximate location of 'locker container'

Figure 1: Site Plan (Source: Google maps and modified by DTP)

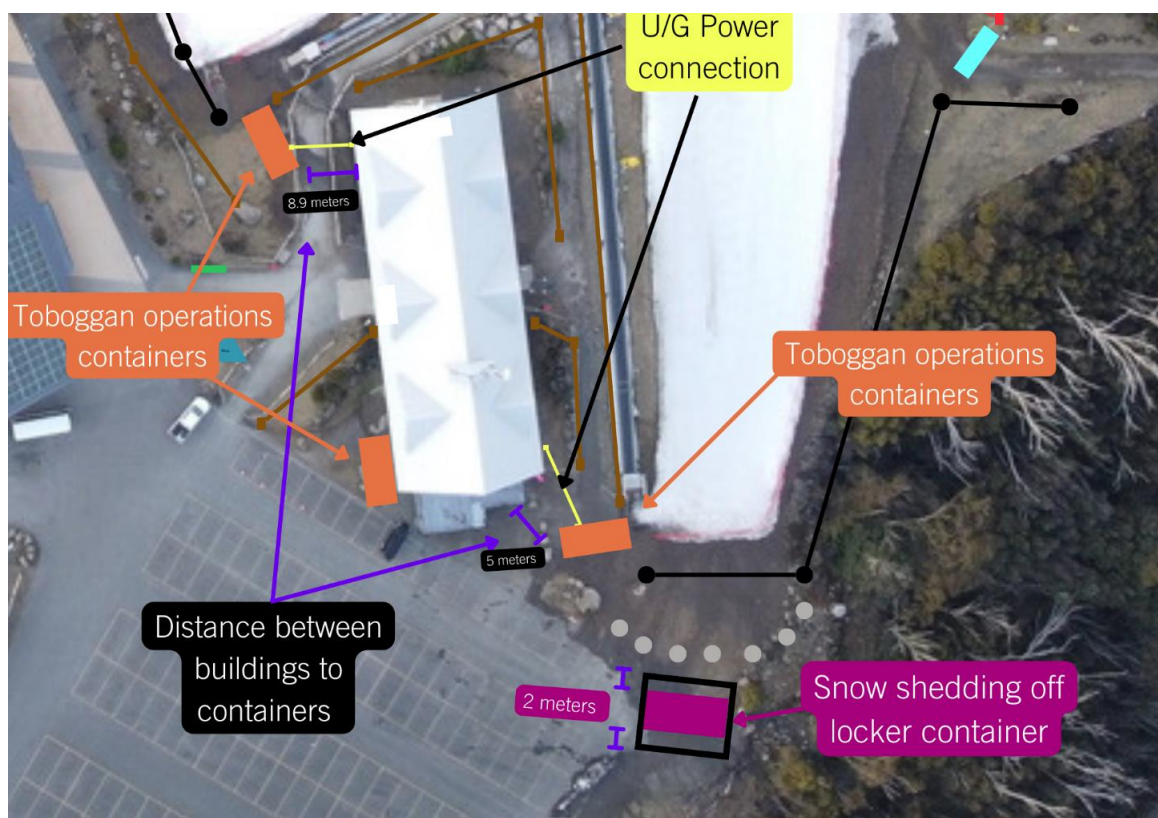


Figure 2: Site Plan (Source: Application)

5. There is no vegetation located in the proposed locations of the containers. The locker container will be adjacent to the existing car park. The ticket booths will be located in areas consisting of crush rock surfaces, bitumen and block footings. All containers are located in areas that have been previously disturbed.

Site Surrounds

6. Development surrounding the site can be described as follows:
- To the **north** of the site: Toboggan run
 - To the **south** of the site: Car park
 - To the **east** of the site: Toboggan run
 - To the **west** of the site: Car park and existing café building.



7. The proposal can be summarised as follows:
- Buildings and works for the installation of four container buildings (to facilitate ticket services and locker facilities).

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

Ticket booth:

- 3 ticket booth containers, each will comprise of 6 m long by 2.4 m wide and a height of nearly 2.6 m. Location as shown in Figures 1 and 2.
- Roof and wall cladding comprise 'Monument' Colourbond.
- Three windows (1.8 m long by 0.9 m wide) located on each of the long sides and on one of the narrow sides. The other narrow side will contain a door (nearly 2.6 m high).

Locker container:

- One locker container, made of Colourbond 'Deep Ocean' (dark blue tone). Location as shown in Figures 1 and 2.
- Comprise of an 8 m length, 2.5 m width and 3 m height.
- A total of 160 lockers accessible from both long sides.
- Signage includes 'Lake Mountain Alpine Resort' wording in white on 3 sides. (Each sign will contain 1.5sqm in area and a total of 5.5 sqm display. The signage is exempt from a planning permit).
- The locker container will be sub-leased out to a third party business company.

General:

- The ticket booths and locker container will be removed from the site at the conclusion of each snow season (October) and brought back on site not before mid-May.
- The purpose of the ticket booths is to reduce wait times for purchase of tickets and the purpose of the locker container is to enhance the customer service experience and to manage the high quantities and their need for storing personal belongings.
- The ticket booth containers and the locker container will be connected with underground power accessed from the main building nearby.
- No earthworks are required as all four locations of the containers will be on flat land.
- No vegetation removal is required or proposed.



Planning Policy Framework

16. 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.
17. The following policies are considered relevant to this application:

Clause no.	Description
02.01	Context
02.02	Vision
02.03-2	Environmental and landscape values
02.03-3	Environmental risks and amenity
02.03-4	Natural resource management
02.03-5	Built environment and heritage
02.03-6	Economic development
02.03-8	Infrastructure
02.04	Strategic framework plans
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
14.02-1S	Catchment planning and management
15.03-2S	Aboriginal cultural heritage
17.04-1S	Facilitating tourism

Local Planning Policy Framework

18. 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.
19. The MSS within the Alpine Resorts Planning Scheme identifies the objectives and strategies for the Mount Hotham alpine resort.
20. The following clauses are relevant:

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

9. The Assessment section of this report provides a detailed assessment of the relevant planning policies (as relevant to the proposal and key considerations)



Statutory Planning Controls

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

10. The land is affected by the CDZ1.
11. The relevant purpose of the CDZ1 is to encourage development and the year-round use of the land for a commercially oriented, alpine resort.
12. A planning permit is not required for the use of the land for 'leisure and recreation'.
13. A planning permit is triggered to construct a building or construct or carry out works pursuant to the CDZ1.
14. The 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 Project responds to these requirements.

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

15. A planning permit is required to construct a building or construct or carry out works associated with 'leisure and recreation', pursuant to the BMO1.
16. 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.*
17. 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.
18. 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.

Particular provisions

19. None applicable.

Operational Provisions

Clause 65.01 – Approval of an application or plan

20. 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

21. 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

22. The application was referred to the following groups:

Provision/ Clause	Organisation	Response Received (date)
<i>Section 55 Referral- Determining (Clause 7 of Schedule 1 to the CDZ (37.02) for 'any use or development which requires connection to reticulated services')</i>	Alpine Resorts Victoria (ARV)	<u>1 May 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>4 April 2025</u> No objection and no conditions.
<i>Section 55 Referral- Determining (Clause 7 of Schedule 1 to the CDZ (37.02) for 'any use or development which requires connection to reticulated services')</i>	AusNet Services	<u>16 April 2025</u> No objection and inclusion of one note.
<i>Section 55 Referral – Determining (Clause 66.02-5 – Special Water Supply Catchment Area – '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 declared Special Area classified as a Special Water Supply Catchment Area under the Catchment and Land Protection Act 1994 and which provides water to a domestic supply'.</i>	Goulburn Murray Water	<u>No response</u>

Notice

23. 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).

24. 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:

- Clause 44.06-7 (BMO).

25. The application was not advertised as it was considered that no person would be detrimentally affected by the proposal. (Refer to No Advertising Memo approved on 14 April 2025).

26. 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.

27. Notice was provided to the ARV on 11 April 2025 and on 1 May 2025 the ARV responded advising no objection and no conditions. Notice was provided to Murrindindi Shire Council and Yarra Ranges Council and no response from either has been received to date.

28. No objections have been received.



Planning Policy

Consistency with State and Local Planning Policies

29. 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.

30. The specific policies relevant to Lake Mountain 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)
- Ensure passive and active recreational activities are in balance with the conservation and protection of the natural environment within and adjacent to the resorts (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 assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment (Clause 14.02-1S)
- 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)
- To encourage a broad range of commercial activities and recreational facilities at multi-purpose venues (Clause 17.04-1L).

31. The Project is consistent with the relevant policies. The Project will contribute to the sustainable development of Lake Mountain by providing small scale facilities to enhance and improve the customer service experience at Lake Mountain Alpine Resort and to manage the high quantities of visitors and their need for storing their personal belongings.

32. The Project footprint has been designed to ensure the potential adverse impacts to the environment have been avoided by avoiding the need to remove vegetation and locating the containers within previously disturbed locations and on flat land. The proposed locations of the containers sit outside the area affected by the Erosion Management Overlay, therefore the requirement for a geotechnical assessment is not required, confirming geotechnical risks are not of concern.

33. The Project will not increase the risk to life or property from bushfire. The ski field area already exist, and the addition of the containers will not increase the risk to life.

34. The Project will involve the installation of containers on previously disturbed land to ensure that no disturbance to Aboriginal Cultural Heritage occurs.



Zoning and Land Use

Comprehensive Development Zone, Schedule 1 (CDZ1)

35. The relevant purpose of the CDZ1 is to encourage development and the year-round use of land for a commercially orientated, alpine resort.
36. A planning permit is triggered for buildings and works pursuant to CDZ1.
37. The Project is consistent with the purposes of Schedule 1 to the CDZ. The containers will be located on highly modified areas of Lake Mountain resort and will have minimal or no impact on significant landscapes, significant vegetation or indigenous fauna habitat.
38. The site is within an existing toboggan area and the containers will be located within metres of the existing café building, easily connecting power supply from the existing building.
39. The development has little to no visual impact as they are small in size, will utilise suitable colours and materials and will be removed from site and stored within other storage facilities until the beginning of the next snow season.
40. In accordance with the permit application requirements, a SEMP has been provided, consistent with the requirements of Clause 4.3-3 of Schedule 1 to the CDZ.
41. The proposed signage (Business identification signs) that will be located on the locker facility, comply with the 'exempt signs' provisions of Clause 5.1 of CDZ1 and therefore do not trigger a planning permit. As such consideration of the signage is not required.

Bushfire

42. The application was referred to the CFA as a statutory referral authority. The CFA support the waiving of the BMO requirements of Clause 44.06 given the type of proposal. The CFA stated that waiving the requirements is considered reasonable in this instance given *'the proposed buildings are temporary in nature and only to be located on site during the colder months that are outside the declared Fire Danger Period.'*
43. However, the mandatory condition as per Clause 44.06-5 of the Scheme will be included in any permit issued.

Cultural Heritage

44. Given the containers will be placed on significantly disturbed locations and no earthworks are required for their respective installation, a Cultural Heritage management plan (CHMP) is not required.

Environmental Considerations

Native vegetation and ecological value

47. The location of the proposed development including associated electrical trenching will not result in any vegetation removal, thus assists with the protection and conservation of Victoria's biodiversity.

Referral Authority Conditions

48. The ARV, as a statutory, section 55 referral authority, did not require any conditions.
49. The CFA as a statutory, section 55 referral authority supported the waiving of the BMO requirements and did not include any conditions.
50. AusNet Services, as a statutory, section 55 referral authority, requested one note be included alerting to a 'Dial Before You Dig' process being undertaken before construction commences.
51. Goulburn Murray Water as a statutory, section 55 referral authority, did not respond.



Recommendation

52. It is recommended that a Delegate of the Minister for Planning issue Planning Permit No. PA2503593 for *Buildings and works for the installation of 4 container buildings (to facilitate ticket services and locker facilities)* at 1071 Lake Mountain Road, Marysville, subject to conditions.

Conclusion

53. The proposed buildings and works is generally consistent with the relevant planning policies of the Alpine Resorts Planning Scheme.
54. The Project is supported by all referral authorities.
55. It is recommended that the applicant be notified of the above in writing.

Prepared and 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:

Title:

Signed:

Phone:

Dated: 21 May 2025

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.**
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Name:

Title:

Signed:

Phone:

Dated: 21/05/2025