

## PLANNING PERMIT

<b>Permit No.:</b>	PA2302328
<b>Planning scheme:</b>	Alpine Resorts
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	Lot 29 Hot Plate Drive, Hotham Heights (Crown Allotment 8A Section B Parish of Hotham)

### THE PERMIT ALLOWS:

<b>Planning scheme clause No.</b>	<b>Description of what is allowed</b>
37.02-4	Construct a building or construct or carry out works
44.06-2	Construct a building or construct or carry out works
44.01-2	Construct a building or construct or carry out works
44.01-3	To remove, destroy or lop any vegetation
52.17-1	To remove, destroy or lop native vegetation, including dead vegetation

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

#### Compliance with documents approved under this permit

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

#### Layout not altered

2. The development as shown on the endorsed plans must not be altered (unless the Alpine Resorts Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

Date issued: 24 September 2024 Signature for the responsible authority:



### Endorsed plans required

3. Prior to the commencement of any works on the site, a Construction Waste Management Plan must be submitted to and be approved by the Responsible Authority in consultation with the Mount Hotham Alpine Resort. When approved, the Construction Waste Management Plan will be endorsed and will then form part of the permit. The Construction Waste Management Plan must include the following:
  - Identification of expected types of waste.
  - Methods proposed to reduce, reuse and recycle where possible.
  - Any proposed contingency plans if unexpected types of waste are discovered.
  - Acknowledgement that all waste must be removed from the Alpine Resort.

### Commencement of permit

4. This permit will operate from the issued date of this permit.
5. Once the development and vegetation removal permitted has started, they must be continued and completed to the satisfaction of the Responsible Authority.

### Site Environmental Management Plan (SEMP)

6. All construction activity and site rehabilitation works must be undertaken in accordance with the endorsed Site Environmental Management Plan (SEMP), unless otherwise approved by the Responsible Authority in consultation with Mount Hotham Alpine Resort. All contractors working on the site must be provided with a copy of the endorsed SEMP and a copy must be retained on-site at all times during the construction period.

### Alpine Resorts Victoria

#### Geotechnical

7. All buildings and works must be carried out in accordance with the geotechnical recommendations described in the preliminary geotechnical assessment report "Preliminary Geotechnical Assessment – Lot 27 and 29, Hotplate Drive, Mount Hotham" prepared by Tetra Tech Coffey and dated 22 November 2023.

#### Services

8. Prior to the commencement of any buildings or works at the site, a Stormwater Management Plan must be submitted to and approved by Mount Hotham Alpine Resort as per the requirements of Clause 53.18 of the Alpine Resorts Planning Schemes.
9. Prior to the commencement of any excavation works at the site, the permit holder or developer must seek advice and arrange an on-site meeting with a Mount Hotham Alpine Resort representative by contacting [REDACTED] for a site induction and to verify service locations and no works are to be undertaken until all service locations have been identified and verified.

Date issued: 24 September 2024 Signature for the responsible authority: [REDACTED]

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10. When carrying out any connection to water, sewerage and gas services, the permit holder or developer must ensure that continuity of supply is always maintained to the downstream reticulation network. Any disruption to supply must be with a minimum two weeks notice to Mount Hotham Alpine Resort to allow notification to affected customers.
11. Alpine Resorts Victoria will require access to all manholes/ valve locations for future investigation and maintenance. Reasonable access cannot be restricted by built form, including proposed walkways.
12. Prior to commencement of excavation works, Alpine Resorts Victoria will require detailed civil and structural footing design, including walkway footings, demonstrating no surcharging on underground assets.
13. Any proposal for built form over the high-pressure gas main will require consultation with Energy Safe Victoria.

Protection of Mount Hotham Alpine Resort Infrastructure

14. Prior to the commencement of any works covered by this permit an asset protection report, including documentation, video, and photos (as necessary) of the existing condition of roads, stormwater drains, and vegetated areas must be submitted to, and approved by Mount Hotham Alpine Resort by emailing [REDACTED]
15. The condition of roads, stormwater drains, and vegetated areas must be monitored for the duration of the works and any defects made safe or repaired within 24 hours of being identified to the satisfaction of Mount Hotham Alpine Resort.
16. At the completion of the works a final condition report for roads, stormwater drains, and vegetated areas must be submitted, and any defects rectified at the cost of the permit holder or the developer to the satisfaction of Mount Hotham Alpine Resort.

**Department of Energy, Environment and Climate Action**

Site Environmental Management Plan

17. Before any native vegetation removal begins, the Site Environmental Management Plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit.

Native Vegetation

18. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.

Tree Protection Zones and native vegetation to be retained

19. Before works start, tree protection fence must be erected around any other trees located on or adjacent to the subject land that may be impacted by the work and as indicated in the Flora and Fauna Assessment supplied with the application. The Tree Protection Zone (TPZ) fence

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must be as per the Australian Standard document AS4970-2009 Protection of Trees on Development Sites.

20. Before works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

The fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the responsible authority. The protection fence must remain in place until all works are completed to the satisfaction of the department.

21. Except with the written consent of the Responsible Authority, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
- vehicular or pedestrian access;
  - trenching or soil excavation;
  - storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
  - construction of entry and exit pits for underground services; or
  - any other actions or activities that may result in adverse impacts to retained native vegetation.

Native vegetation permitted to be removed, destroyed or lopped

22. The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.016 hectares of native vegetation, including 2 large trees.

Native vegetation Removal and offsets

23. To offset the removal of 0.016 hectares of native vegetation including 2 large trees, the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below.

- a. A Species offset of:
- i. 0.021 species units of habitat for Woolly Billy-buttons, *Craspedia maxgrayi* s.s.
  - ii. 2 Large trees; and
  - iii. located within the North East Catchment Management Authority boundary or Mt.Hotham Alpine Resort area.

24. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be:

- a. an established first party offset site. This must include:
- i. a security agreement signed by both parties, and
  - ii. a management plan detailing the 10-year management actions and ongoing management of the site and/or credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

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and/or

credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

25. A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

26. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Energy, Environment and Climate Action at [REDACTED]

### **Goulburn Murray Water**

27. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

28. All wastewater from the site must be disposed of to the existing Mount Hotham Wastewater treatment facility, in accordance with the requirements of the relevant authority.

### **Country Fire Authority**

29. Before the development starts, the Bushfire Management Plan prepared by Mountain Planning (version A, dated 8th November 2023) must be submitted to the Responsible Authority for endorsement. Once endorsed, the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.

### **Mandatory Bushfire Condition**

30. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

### **Shutdown**

31. All external construction activity must cease, unless the Responsible Authority consents in writing to another date after consultation with Mount Hotham Alpine Resort during:

- The period between Christmas Day and New Year's Day inclusive
- The Easter holiday period from Good Friday to Easter Monday
- Any major event in the resort as may be notified by the Mount Hotham Alpine Resort
- The period between 15 May and the end of the declared snow season.

### **Site Condition**

32. The site must be left in a clean and tidy condition at all times and prior to occupation and/or use of the building, all waste must be completely removed from the site to the satisfaction of the

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Mount Hotham Alpine Resort. Any waste or litter must be immediately removed from the site and surrounding area at the direction of Mount Hotham Alpine Resort.

### **Access**

33. Vehicles or machinery must never impact access to critical resort infrastructure and/or emergency response.

### **Road Closures**

34. Any full or partial closure of vehicle access roads for construction works must be advised with a minimum two weeks' notice to [REDACTED] to allow for notification to relevant affected stakeholders and is subject to the approval of the relevant Mount Hotham Alpine Resort.

### **Relocation of Services**

35. The relocation of and the connection to any water, sewerage, drainage, gas, electricity, telecommunication or other utility service must be done at the expense of the permit holder or developer to the satisfaction of the utility service provider and the Mt Hotham Alpine Resort management.

### **Snow Confinement**

36. Snow shed from the development must be confined within the site at all times to the satisfaction of the Responsible Authority, in consultation with Mount Hotham Alpine Resort management.

### **Snow Management**

37. Snow shed must be managed to ensure that entries to buildings, habitable room windows, ski ways, pedestrian paths and public open spaces are kept clear of snow shed at all times to the satisfaction of the Responsible Authority, in consultation with Mount Hotham Alpine Resort management.

### **Expiry**

38. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:

- a. The development is not started within two years of the issued date of this permit.
- b. The development is not completed within four years of the issued date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the permit if a request is made in writing before the permit expires or within six months afterwards. The responsible authority may extend the time for completion of the development date if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

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USEFUL INFORMATION:

- (the following information does not form part of this permit)
- The permitted use or development may need to comply with, or obtain the following further approvals:
  - A building permit under the *Building Act 1993*, including all requirements for snow retention on the roof.

Alpine Resorts Victoria

- The permit holder or developer must seek “Dial before you Dig” advice or direct advice from service authorities prior to commencement of any excavation works at the site.
- Prior to the commencement of any works on the site, the Mount Hotham Alpine Resort must be consulted to ensure compliance with all relevant resort policies and procedures.

DEECA

- The Department advises that works or other activities on public land, which as indicated by the Flora and Fauna Assessment supplied with the application, is likely to affect protected native plants and will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee (FFG) Act 1988. All native vegetation likely to be affected should be checked against the Protected Flora List (DELWP 2017) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DEECA office. If an FFG permit is required, it will need to be issued prior to any native vegetation removal. Contact [REDACTED] Program Manager Hume Region Natural Environment Program

AusNet Services

- As there are AusNet Services Underground Power Lines in the vicinity of the proposed construction, please note the following in regards to working near our assets: AusNet Services refers to Energy Safe Victoria (ESV) for safety information and advice. ESV notes the following:
  - As part of this process the builder will need to undertake a Dial Before You Dig before construction takes place.
  - Go to the following for more info from the ESV on working near underground assets: <https://www.energysafe.vic.gov.au/industry-guidance/electrical/electrical-network-infrastructure/working-around-powerlines>

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**IMPORTANT INFORMATION ABOUT THIS PERMIT**

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**WHAT HAS BEEN DECIDED?**

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The responsible authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

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**CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?**

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The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

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**WHEN DOES A PERMIT BEGIN?**

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A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
  - i. the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
  - ii. the date on which it was issued, in any other case.

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**WHEN DOES A PERMIT EXPIRE?**

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1. A permit for the development of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation, within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

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**WHAT ABOUT REVIEWS?**

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- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Date issued: 24 September 2024 Signature for the responsible authority: 