

PLANNING PERMIT

Permit No.:	PA2302563
Planning scheme:	Alpine Resorts Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	Baldy Area, Mt Buller ski field, Mt Buller

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
37.02-4	Construct a building or construct or carry out works
42.01-2	Construct a building or construct or carry out works
43.02-2	Construct a building or construct or carry out works
44.01-2	Construct a building or construct or carry out works
44.06-2	Construct a building or construct or carry out works for a use associated with leisure and recreation
52.05-13	Construction and display of signs

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Approved and endorsed plans – changes required

1. Before the development starts, plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the architectural plans prepared by Taylor Design Group and dated 18 January 2024, but amended to show the following details:
 - a) Deletion of the wall cladding 'Ply board painted black' and 'naturally greyed horizontal hardwood timber cladding' and replacement with 'Colorbond wall cladding Night Sky' and 'Colorbond wall cladding Woodland Grey'.

Compliance with documents approved under this permit

2. 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.

Date issued: 27 June 2024 Signature for the responsible authority



Commencement

3. This permit will operate from the issued date of this permit.

Site Environmental Management Plan

4. 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 Buller 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.

Removal of rocks

5. Before the development starts, the existing rock beaching around the perimeter of the existing building, must be removed, to the satisfaction of the Responsible Authority.

Shutdown

6. All external activity must cease, unless the Responsible Authority consents in writing to another date after consultation with the Mount Buller Alpine Resort, during:
- a) The period between Christmas Day and New Year's Day inclusive.
 - b) The Easter holiday period from Good Friday to Easter Monday.
 - c) Any major event in the resort as may be notified by the Mount Buller Alpine Resort.
 - d) The period between 15 May and the end of the declared snow season.

Site condition

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

Site induction

8. The permit holder or developer must arrange an on-site meeting with relevant Mount Buller Alpine Resort representatives for a site induction prior to the commencement of any buildings and works at the site. This can be organised by contacting planning@alpineresorts.vic.gov.au.

Carparking

9. Vehicles under the control of the permit holder or developer must be parked on the site during construction or in accordance with an agreement with Mount Buller Alpine Resort and must never impact access to critical resort infrastructure and/or emergency response.

Road closures

10. Any full or partial closure of vehicle access roads for construction works must be advised with a minimum two weeks' notice to planning@alpineresorts.vic.gov.au to allow for notification to relevant affected stakeholders and is subject to the approval of Mount Buller Alpine Resort.

Waste management

11. All works must be undertaken in accordance with the endorsed Waste Management Plan unless otherwise approved by the Responsible Authority in consultation with Mount Buller Alpine Resort.



Snow confinement

12. 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 Buller Alpine Resort.

Snow management

13. Snow shed must be managed to ensure that entries to buildings, 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 the Mount Buller Alpine Resort.

Landscaping and rehabilitation

14. Before the building hereby permitted is used, all landscaping and rehabilitation of the site must be undertaken in accordance with the endorsed Site Rehabilitation and Revegetation Management Plan, to the satisfaction of the Responsible Authority.

Relocation and connection of services

15. 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 and be to the satisfaction of the utility service provider.

Warning Signs for Snow Sheds

16. The permit holder must install appropriately located caution signs warning of any snow dump zones to the satisfaction of the Responsible Authority.

Maintenance of signs

17. The signs hereby permitted must at all times be maintained in good order and condition, to the satisfaction of the Responsible Authority.

No Illumination

18. The signs hereby permitted shall not be internally or externally illuminated.

No Flashing Lights

19. No animation, flashing or intermittent lighting may be used in the permitted signs.

Bushfire mandatory condition

The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable 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.

Country Fire Authority (CFA)

20. The building must comply to a minimum Bushfire Attack Level of 40 (BAL-40).

Department of Energy, Environment and Climate Action (DEECA)

Notification prior to commencement of works

21. Before any works start, the permit holder must advise all persons undertaking works on site, including native vegetation removal, of all relevant permit conditions and associated statutory requirements or approvals.



Works in accordance with Site Environmental Management Plan and Site Construction Management

22. Works must be conducted and carried out in accordance with the Site Construction Management Plan and endorsed Site Environmental Management Plan (SEMP). All persons working on site must be provided with a copy of the endorsed SEMP and Construction Management Plan and must adhere to all requirements of the SEMP and Construction Management Plan. A copy of these documents must be kept on site at all times during the construction period.

Protection of retained vegetation

23. Prior to commencement of works, areas where there is to be no disturbance, and where native vegetation is to be protected, native vegetation protection fences are to be erected around all native vegetation to be retained and areas identified as “no-go” zones, to the satisfaction of the Responsible Authority.
24. All tree protection zones must comply with AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the Responsible Authority. Vegetation protection fences and other fences around restricted areas must be highly visible and remain in place until all construction activities are completed.

Alpine Resorts Victoria (ARV)

Geotechnical

25. All buildings and works must be carried out in accordance with the geotechnical recommendations described in the preliminary geotechnical assessment report “Preliminary geotechnical and foundation assessment – The Lodge, Summit Road, Mount Buller VIC 3723” prepared by Taylor Consulting Engineers and dated 22 May 2023.

Services

26. 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 Buller Alpine Resort representative by contacting planning@alpineresorts.vic.gov.au 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.
27. When carrying out any connection to water, sewerage and gas services, the permit holder or developer shall ensure that continuity of supply is always maintained to the downstream reticulation network. Any disruption to supply must be with a minimum two week notice to Mount Buller Alpine Resort to allow notification to affected customers.

Damage to Mount Buller Alpine Resort Infrastructure

28. 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 Buller Alpine Resort by emailing planning@alpineresorts.vic.gov.au.
29. 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 Buller Alpine Resort.



30. 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 developer to the satisfaction of Mount Buller Alpine Resort.

Goulburn Murray Water

31. All construction and ongoing activities must be in accordance with EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023).

Expiry (buildings and works)

30. 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 if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

USEFUL INFORMATION:

(The following information does not form part of this permit)

- The permitted development may need to comply with, or obtain the following further approvals:
 - A building permit under the *Building Act 1993*.

AusNet Services

- As there are AusNet Services Underground Power Lines in the vicinity of the approved buildings and works, please note the following in regard to working near AusNet assets:
 - AusNet Services refers to Energy Safe Victoria (ESV) for safety information and advice. ESV notes the following:
 - As part of this process the permit holder or developer will need to undertake a Dial Before You Dig before construction takes place.
 - It is acceptable to work greater than 6.4m from the powerline. If it is within 3 - 6.4m, a registered spotter must be implemented. If it is under 3m it is known as a NO GO ZONE where official permission from AusNet Services is required. Alternatively, you can contact Extec who can assist you with your No Go Zone requirements (note charges may apply). Their details can be obtained by clicking on the following link <https://www.ausnetservices.com.au/safety/working-near-lines>

Alpine Resorts Victoria (ARV)

- 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 Buller Alpine Resort must be consulted to ensure compliance with all relevant resort policies and procedures.



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

- The permit holder must contact Mount Buller Alpine Resort by emailing planning@alpineresorts.vic.gov.au and confirm the following information:
 - What is/will be the capacity of the building?
 - What will the proposed open days/hours be?

Department of Energy, Environment and Climate Action (DEECA)

- Works or other activities on public land (including road reserves), which may impact on protected plants, will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee Act 1988 (FFG). All native vegetation likely to be impacted should be check against the Protected Flora List (https://www.environment.vic.gov.au/_data/assets/pdf_file/0011/50420/20191114-FFG-protected-flora-list.pdf) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the DEECA regional office.



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

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**.)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

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.

WHEN DOES A PERMIT EXPIRE?

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.

WHAT ABOUT REVIEWS?

- 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: 27 June 2024 Signature for the responsible authority

