

Our ref: 21509

8 May 2026

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**Department of Transport
and Planning**
8 MAY 2026

Mr. Michael Dafnomilis
Senior Planner
Alpine, Development Approvals and Design
Department of Transport and Planning
Via email: Michael.dafnomilis@transport.vic.gov.au

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Dear Michael,

**Re: Planning Application PA2604329
Crown Allotments 37
1 Telemark Street, Falls Creek**

I refer to correspondence 17 April 2026 requesting further information in response to the abovementioned planning application.

The following response is provided to the items contained within the request.

1. Notification of application to landowner

We enclose a copy of the email sent to the Minister for the Environment C/- the Department of Energy, Environment and Climate Action, confirming that the requirements of Section 48 of the *Planning and Environment Act 1987* has been satisfied.

2. Amended Plans

The plans have been amended to include 'leasable floor area' Drawing No A205 and 'existing net floor area' for the existing 'food and drink premises' on Drawing No's A201 and A202.

3. Hours of operation

The proposed use will operate between 9am-5pm, Monday to Friday.

4. Development Licence or Operating Licence- EPA

A Development Licence and Operating Licence are required for beverage manufacturing when production capacity is more than 300 kilolitres per year that discharge or deposit waste solely to land. The quantity of production will be well below 300 kilolitres per year. Average daily production is expected to be 200 litres with an average monthly production of 2,500 litres.

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5. Clause 53.10 – Uses and Activities with Potential Adverse Impacts

Under the Table to Clause 53.10 alcoholic and non-alcoholic beverage production has the potential to have adverse impacts on an education centre when production exceeds 5,000 litres per day. The proposed distillery will produce relatively low volumes of product with an expected daily average of 200 litres. With production quantities less than 5,000 litres per day a threshold distance to the Falls Creek Primary School does not apply and the application is not required to be referred to the EPA.

6. Referral to the Victorian WorkCover Authority

The *Dangerous Goods (Handling and Storage) Regulations 2022* prescribe a fire protection quantity of alcohol to be 2,000 litres or more at 24%ABV. The proposed distillery will use a bulk quantity of neutral grain spirit. The spirit is blended with purified water and redistilled in a stainless-steel still to refine the flavour profile. The distilled spirit will be approximately 45%ABV.

The maximum combined quantity of neutral grain spirit and distilled spirit to be stored on the premises at any time will not exceed 1,900 litres. This quantity is below the threshold of 2,000 litres and therefore will not be a fire protection quantity and will not require the application to be referred to the Victorian WorkCover Authority.

It is our understanding that in accordance with Regulation 360 of the *Occupational Health and Safety Regulations 2017* the Victorian WorkCover Authority must be notified by the operator of a facility that stores hazardous materials in large quantities that would constitute a major hazard facility. Hazardous materials are listed Schedule 14 of the Regulations. We do not believe the proposed distillery will use or store any of the materials listed in Schedule 14 of the Regulations.

It is our understanding a licence is required under the *Dangerous Goods (Explosives) Regulations 2022* to undertake specific commercial or large scale activities involving explosives. The production of distilled spirit does not use, store or manufacture explosives and therefore will not require a licence under the *Dangerous Goods (Explosives) Regulations 2022* meaning the application is not required to be referred to the Victorian WorkCover Authority.

It is our understanding a licence is required for an organisation or business to conduct an activity involving High Consequence Dangerous Goods (HCDG) HCDGs include explosives, toxic substances and high concentration nitrates which are capable of causing mass casualties or mass destruction. The production of distilled spirit does not use, store or HCDGs and therefore will not require a licence under the *Dangerous Goods (HCDG) Regulations 2016* meaning the application is not required to be referred to the Victorian WorkCover Authority.

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7. Connection to reticulated gas and electricity

The proposed use will be connected to reticulated electricity but will not be connected to reticulated gas.

8. Waste Management Plan

A waste Management Plan has been prepared and is attached.

We trust the additional information provided satisfies the request. Should the response not satisfactorily address the request for further information we would request an extension of time to further address any outstanding items.

Should you have any questions or require any additional information please contact our office.

Regards,



RICHARD HOXLEY
Principal Planner

*Encl. Copy of email to the Minister for the Environment
Amended Architectural plans (Sendit.Archi)
Waste Management Plan*

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