

## PLANNING PERMIT

<b>Permit No.:</b>	PA2403149
<b>Planning scheme:</b>	Alpine Resorts Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	17 Slalom Street Falls Creek

### 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
43.02-2	Construct a building or construct or carry out works
52.06-3	Reduce the number of car parking spaces required under Clause 52.06-5

### 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.

#### Commencement

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

#### Approved and endorsed plans – changes required – Site Environmental Management Plan (SEMP)

3. Before the development starts, a revised Site Environmental Management Plan (SEMP) must be approved and endorsed by the responsible authority. The SEMP must:
  - a) Be prepared to the satisfaction of the responsible authority and in consultation with Alpine Resorts Victoria (ARV)
  - b) Be submitted to the responsible authority in electronic form
  - c) Be generally in accordance with Site Environmental Management Plan signed 4 August 2024, but amended to show:

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- i) A notation that states the existing non-native pine trees (as identified in the architectural plans prepared by Sendit.archi and dated 30 August 2024), to be removed at the permit holder cost.

**Approved and Endorsed Plans – no document previously submitted – waste management plan**

5. Before the development starts, a waste management plan must be approved and endorsed by the responsible authority and Falls Creek Alpine Resort. The Waste Management Plan must demonstrate how different construction waste types (including demolition, construction and excavated material) will be separated, and legally disposed off mountain. The Waste Management Plan must:

- a) Be prepared to the satisfaction of the responsible authority and Falls Creek Alpine Resort
- b) Submitted in electronic form
- c) Show the following details:
  - i) Identification of expected types of waste;
  - ii) Methods proposed to reduce, reuse and recycle where possible;
  - iii) Any proposed contingency plans if unexpected types of waste are discovered; and
  - iv) Acknowledgement that all waste must be removed from the Alpine Resort.

Waste management and collection must be carried out in accordance with the requirements of the approved and endorsed waste management plan to the satisfaction of the responsible authority.

**Layout not altered**

6. 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.

**Materials and colours schedule**

7. Before the development starts, the materials and finishes schedule prepared by Sendit.archi, titled Schedule-Materials, Drawing No. TP23 and dated 1 August 2024, must be approved and endorsed by the responsible authority. The plan must not be altered without the prior written consent of the responsible authority.

The responsible authority may consent in writing to vary these requirements and the details in an approved schedule.

**Shutdown**

8. All external construction activity must cease, unless the responsible authority consents in writing to another date after consultation with the Falls Creek Alpine Resort Management, 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 Falls Creek Alpine Resort Management; and
- d) The period between 15 May and the end of the declared snow season.



### Site condition

9. 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 construction waste must be completely removed from the site to the satisfaction of the Falls Creek Alpine Resort Management. Any waste or litter must be immediately removed from the site and surrounding area at the direction of the Falls Creek Alpine Resort Management.

### Site induction

10. The permit holder or developer must arrange an on-site meeting with relevant Falls Creek 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](mailto:planning@alpineresorts.vic.gov.au).

### Carparking

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

### Road closures

12. 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](mailto:planning@alpineresorts.vic.gov.au) to allow for notification to relevant affected stakeholders and is subject to the approval of the Falls Creek Alpine Resort.

### Snow confinement

13. Snow shed from the development must be confined within the site at all times to the satisfaction of the Responsible Authority, in consultation with Falls Creek Alpine Resort.

### Snow management

14. 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 Falls Creek Alpine Resort.

### Relocation 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.

### Alpine Resorts Victoria (ARV)

#### Services

16. Prior to the commencement of any buildings or works, a Stormwater Management Plan must be submitted to and approved by Falls Creek Alpine Resort as per the requirements of Clause 53.18 of the Alpine Resorts Planning Scheme.
17. 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 Falls Creek Alpine Resort representative by contacting [planning@alpineresorts.vic.gov.au](mailto: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.



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18. When carrying out any connection to water, sewerage and gas services, the developer/occupier shall ensure that continuity of supply is always maintained to downstream reticulation network. Any disruption to supply must be with a minimum two week notice to Falls Creek Alpine Resort to allow notification to affected customers.
19. Alpine Resorts Victoria (ARV) will require access to all manholes/valve locations for future investigation and maintenance. Reasonable access cannot be restricted by built form, including proposed walkways.
20. Prior to commencement of excavation works, Alpine Resorts Victoria (ARV) will require detailed civil and structural footing design, including walkway footings, demonstrating no surcharging on underground assets.

*Damage to Falls Creek Alpine Resort infrastructure*

21. 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 Falls Creek Alpine Resort by emailing [planning@alpineresorts.vic.gov.au](mailto:planning@alpineresorts.vic.gov.au) .
22. 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 Falls Creek Alpine Resort.
23. 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 Falls Creek Alpine Resort.

**Department of Energy, Environment and Climate Action (DEECA)**

*Notification prior to commencement of works*

24. 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 Plan*

25. Works must be conducted and carried out in accordance with the endorsed Site Construction Management Plan and endorsed Site Environmental Management Plan (SEMP), unless otherwise approved by the responsible authority. All persons working on site must be provided with a copy of the endorsed SEM and Construction Management Plan and must adhere to all requirements of the SEM 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*

26. 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. All tree protection zones must comply with AS 4970-2009 Protection of

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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.

### **Goulburn Murray Water**

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

28. All wastewater from the development must be disposed of via connection to the reticulated sewerage system in accordance with the relevant authority.

### **Expiry – Development**

29. 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 2 years of the issued date of this permit.
- b) The development is not completed within 4 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 this 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)

### **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 Falls Creek Alpine Resort must be consulted to ensure compliance with all relevant resort policies and procedures.
- Prior to the commencement of works please contact the CFA Alpine Commander [m.owens@cfa.vic.gov.au](mailto:m.owens@cfa.vic.gov.au) to discuss operational aspects including the fire safety system requirements, internal fire safety systems, brigade access and fire and evacuation measures.
- Prior to the commencement of works, the design of the balustrade on top of the retaining wall as presented in “2351\_NelseLodge\_TP\_FullSet\_240801\_reduced 2.pdf” must be approved by Falls Creek Alpine Resort prior to installation. Falls Creek Alpine Resort require the balustrade to be constructed to address skier and snow considerations and to be higher than a standard railing.
- Prior to the commencement of works, any site boundary extensions will be confirmed, and agreements will be in place to the satisfaction of Falls Creek Alpine Resort.

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**AusNet Services**

- AusNet Services refers to Energy Safe Victoria (ESV) for safety information and advice. ESV notes the following:
  - As part of this process your 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://esv.vic.gov.au/technical-information/electrical-installations-and-infrastructure/no-go-zones/>



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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.

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