

PLANNING PERMIT

Permit No.: 201529926-6

Alpine Resorts Planning Scheme

Responsible Authority: Minister for Planning

ADDRESS OF THE LAND:
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Crown Allotment 2017 and Crown Allotment 2031 (Parcel D), Crown Allotment 2032 (Parcel B), Part of Crown Allotment 2033 (Parcel A) (White Horse Village) and Crown Allotments 2034 and 2035 (leased) and Crown Allotments 2020 and 2036 (unleased) White Horse Road, Mt Buller

THE PERMIT ALLOWS:

Staged development of fourteen (14) dwellings (chalets), 14 dwellings (cabins), a new vehicle access road connecting to Standard Lane, works to Standard Lane/White Horse Road, the removal of vegetation including native vegetation and a reduction in car parking requirements. Staged development of ten (10) dwellings (chalets), a building for the purpose of a café/restaurant and a dwelling, 14 dwellings (cabins), a new vehicle access road connecting to Standard Lane, works to Standard Lane/White Horse Road, the removal of vegetation including native vegetation and a reduction in car parking requirements.

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT

Amended Plans

- 1 *Before the development starts, including vegetation removal, demolition, excavation and site preparation works (other than works associated with the development of the road), amended plans must be submitted to and be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies (including an electronic copy) must be provided. The plans must generally be in accordance with the plans submitted with the application by Interlandi Mantesso Architects, Drawing Nos. TP0.01 to TP0.03, TP4.01, TP4.03 to TP4.07 and TP4.23 to TP4.27 dated Dec 2022.* Deleted

Endorsed Plans

- 2 The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

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- 3 Once the relevant stage in the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
- 4 All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 5 The endorsed plans for Stage 0, Stage 1A and Stage 1B must show the following matters, to the satisfaction of the Responsible Authority, unless otherwise agreed by the Responsible Authority:
 - (a) Reduced height, as measured from natural ground level, as follows:
 - (i) building facades with direct frontage to Bourke Street ski run to be no greater than 11 metres.
 - (ii) chalets along Bourke Street ski run to be no greater than 50 percent above 11 metres and no greater than 10 percent above 12.5 metres (percentage may be an average across the four chalets).
 - (iii) the three southern chalets to be no greater than 20 percent above 12.5 metres.
 - (iv) the café/restaurant and apartment building to be no greater than 20 percent above 11 metres and no greater than 10 percent above 12.5 metres.
 - (b) The west chalet to be split levelled to step down with the fall of the land.
 - (c) Ground level stone facades fronting Bourke Street ski run to be stepped down in line with the fall of the land.
 - (d) Demarcation of loading and unloading areas associated with uses that include the selling of goods and services.
 - (e) Inclusion of road details consistent with the plan approved under Condition 22.
 - (f) A waste collection hut located to the west of the café/restaurant building or a location as agreed to by the Mt Buller Mt Stirling Alpine Resort Management Board. Waste facilities may be freestanding huts or rooms within the proposed buildings subject to them being publicly accessible at all times and of similar capacity to existing waste huts throughout the village.
 - (g) Provision of a 1.5 metre high fence along the alignment shown on the drawing marked 'Fence Plan' identified as SK1, dated 17 February 2016.
 - (h) Provision of four car parking spaces in front of the Mansfield Ski Lodge and associated retaining wall in accordance with an approved geo-technical report.
 - (i) Landscaping of the area between the Breathtaker Ski Lodge and the re-aligned gabion wall.
 - (j) Confirmation that construction will meet a Bushfire Attack Level BAL40.
 - (k) The maximum overall heights dimensioned for each individual building for all relevant plans.

Staging Plan

- 6 Development must occur generally in accordance with the staging plan to the satisfaction of the Responsible Authority, unless otherwise agreed in writing by the Responsible Authority.

Authorisation for Works on Unleased Land

- 7 Legal agreements, if required by the Mt Buller Mt Stirling Alpine Resort Management Board, must be entered into, within three (3) months of the issue date of the amended permit 201529926-2, with the Mt Buller Mt Stirling Alpine Resort Management Board, in relation to land and road tenure arrangements.

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Prior to Works Provision of Services and Agreements

- 8 Prior to commencement of any works in any relevant stage, an agreement must be entered into with the Mt Buller Mt Stirling Alpine Resort Management Board covering:
- (a) Location and protection of services on and in the vicinity of the site/stage;
 - (b) Provision of services including the connection points for sewerage, potable and storm water where applicable, also including revised demand and flow requirements;
 - (c) Geotech management of the site/stage.
- 9 Prior to commencement of any works for any relevant stage, agreements must be entered into with all relevant service providers for the provision of services. If any construction or relocation of services is required, this must be done at the cost of the permit holder or developer.

Mt Buller Mt Stirling Alpine Resort Management Board

- 10 All buildings and works must be carried out in accordance with Good Hillside Practices and geotechnical recommendations described in the 'Preliminary Geotechnical Assessment for WHV, Mt Buller Consolidation Report', prepared by Phil Styles & Associates, dated 10 February 2020.
- 11 Prior to commencement of any buildings and works for any relevant stage, a site-specific services plan must be provided to the satisfaction of the Mt Buller Mt Stirling Alpine Resort Management Board and include:
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- (a) Storm water: A drainage design plan showing the proposed drain alignments and dripline drains and pits, to ensure surface run-off discharges to the legal point of discharge.
 - (b) Sewer: A below ground drainage plan showing the proposed drain alignments and the location of the inspection shaft where it connects to the Mt Buller and Mt Stirling Alpine Resort Management Board reticulated sewer.
 - (c) Potable water: A notated plan showing the proposed location of the external mains isolation valve and the proposed location of the approved backflow prevention device.
- 12 Prior to the commencement of any excavation works for any relevant stage, the permit holder or developer must seek advice and arrange an on-site meeting with relevant Mt Buller Mt Stirling Alpine Resort Management Board representatives 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.
- 13 Connections to water, sewerage and gas services must be carried out at the expense of the permit holder or developer and be to the satisfaction of the Mt Buller Mt Stirling Alpine Resort Management Board in accordance with the Mt Buller Mt Stirling Alpine Resort Management Board's Conditions of Connections.
- 14 When carrying out any connection to water and/or sewerage and/or gas services for any relevant stage, 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 the Mt Buller Mt Stirling Alpine Resort Management Board to allow notification to affected customers.

- 15 Damage to adjoining Mt Buller Mt Stirling Alpine Resort Management Board assets, including roads, storm water drains and vegetated areas, which results from construction works, must be reinstated by the permit holder or developer, to the satisfaction of and at no cost to the Mt Buller Mt Stirling Alpine Resort Management Board.

Site Environmental Management Plan

- 16 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 the Mt Buller Mt Stirling Alpine Resort Management Board. 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.

Rehabilitation

- 17 All rehabilitation work must be undertaken in accordance with the endorsed Rehabilitation Plan, prepared by Biosis, dated 19 December 2019, to the satisfaction of the Responsible Authority and in consultation with the Mt Buller Mt Stirling Alpine Resort Management Board. The Rehabilitation Plan must show how the land to the south of the gabion wall (including the informal track between the gabion wall and the Breathtaker Lodge) will be rehabilitated.

Site Management, Stockpiling, Material Storage and Waste

- 18 Stockpiles of soil, building materials or waste are not to be located on top of areas of native vegetation, other than native vegetation which is permitted to be removed or destroyed under this permit.

- 19 All earth-moving equipment and other machinery must be cleaned of soil and plant material before entering and leaving the site to prevent the spread of weeds and pathogens.

- 20 All stockpiling and building material storage, fencing and signage must ensure safe pedestrian access.

- 21 All materials and waste must be appropriately managed, contained and removed.

Road Management Plan and Design Construction Plans

- 22 Within six (6) months of the issue date of the amended permit 201529926-2:

- (a) A Road Management Plan must be prepared and submitted to and be approved by the Responsible Authority, to the satisfaction of the Mt Buller Mt Stirling Alpine Resort Management Board. The plan must include road tenure arrangements and address the following:
 - (i) Agreed road safety measures not limited to but including those set out in the 'Consolidated Report of Road Safety Audits' report, prepared by Trafficworks, dated 18 December 2019.

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- (ii) Supervision of road construction by a suitably qualified and experienced design engineer to ensure compliance with the design intent and relevant construction standards.
- (iii) Ongoing responsibility for the maintenance, operation and repair of the road, including snow clearing.
- (iv) Details of agreed maintenance and operational standards in perpetuity.
- (v) Controlled and restricted access to the road at all times in a manner agreed.
- (vi) Snow clearing management plan which defines appropriate locations for deposition of snow and a programme for snow clearing.

When approved, the road must be constructed and operated in accordance with the endorsed Road Management Plan and Design Construction Plans, prepared by GMR, dated 31 January 2020, to the satisfaction of the Responsible Authority.

Storm Water

- 23 Within six (6) months of the issue date of the amended permit 201529926-2, the following must be submitted to the Responsible Authority for approval in consultation with Mt Buller Mt Stirling Alpine Resort Management Board:
- (a) A storm water plan from a suitably qualified and experienced engineer either verifying that the proposed and existing storm water systems downstream of the development have the ability to deal with storm water from a 1 in 100 year storm event or detailing any improvements required to achieve same.

Waste Management Plans

- 24 Within three (3) months of the issue date of the amended permit 201529926-2, a revised Waste Management Plan must be submitted to and approved by the Responsible Authority in consultation with the Mt Buller Mt Stirling Alpine Resort Management Board. The revised Waste Management Plan must be generally in accordance with the plan submitted, dated December 2019, but modified to include:
- (a) Use of the Mt Buller quarry is subject to approval by the Mt Buller Mt Stirling Alpine Resort Management Board and payment of any quarry fees which may be charged from time to time.
 - (b) Waste bins must be covered at all times.
- 25 The waste collection arrangements during construction and operation of any relevant stage must be consistent with the endorsed Waste Management Plan, to the satisfaction of the Mt Buller Mt Stirling Alpine Resort Management Board.
- 26 Within three (3) months of the issue date of the amended permit 201529926-2, detailed plans of the waste hut(s) located within Parcel 2017 must be submitted for approval by the Responsible Authority and the Mt Buller Mt Stirling Alpine Resort Management Board. The plans must be drawn to scale with dimensions including details of road pull-out spaces so that waste collection trucks can safely park and transfer waste from the waste hut(s).
- 27 Prior to the commencement of buildings and works for Parcel B, detailed plans of the waste huts located within Parcel B must be submitted for approval by the Responsible Authority and the Mt Buller Mt Stirling Alpine Resort Management Board. The plans must be drawn

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to scale with dimensions including details of road pull-out spaces so that waste collection trucks can safely park and transfer waste from the waste huts.

- 28 All waste infrastructure and collection arrangements must be to the satisfaction of the Mt Buller and Mt Stirling Alpine Resort Management Board. Waste huts must be publicly accessible at all times and installed at the permit holder or developers' cost.

Snow Shed, Confinement and Management

- 29 Snow management measures must be implemented for any relevant stage in accordance with the endorsed Snow Management Plan, dated December 2019, to the satisfaction of the Responsible Authority.
- 30 Snow shed from the development must be confined within the lease boundaries of the respective Parcel of land at all times to the satisfaction of the Responsible Authority, in consultation with the Mt Buller Mt Stirling Alpine Resort Management Board.
- 31 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 the Mt Buller Mt Stirling Alpine Resort Management Board.

Removal and Marking Vegetation in Accordance with Endorsed Plans

- 32 Vegetation removal is to be consistent with, or less than, that identified in the endorsed *Flora and Fauna Assessment Report*, prepared by Biosis, dated 20 May 2020.
- 33 Mitigation measures of the endorsed *Flora and Fauna Assessment Report*, prepared by Biosis, dated 20 May 2020, must be adhered to in the final design of the development unless otherwise approved by the Responsible Authority.
- 34 All existing vegetation to be retained as shown on the endorsed plans must be suitably marked before any development starts in any relevant stage. The retained vegetation must not be removed, destroyed or lopped to the satisfaction of the Responsible Authority, except with the written consent of the Responsible Authority.

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Shutdown

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

Site Condition

- 36 The site must be left in a clean and tidy condition at all times and prior to occupation and/or use of the buildings, all waste must be completely removed from the site, to the satisfaction of the Mt Buller Mt Stirling Alpine Resort Management Board. Any waste or

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litter must be immediately removed from the site and surrounding area at the direction of the Mt Buller Mt Stirling Alpine Resort Management Board.

Department of Environment, Land, Water and Planning (Environment)

- 37 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 the Mt Buller Mt Stirling Alpine Resort Management Board. All contractors working on the site must be provided with a copy of the endorsed SEMF and a copy must be retained on-site at all times during the construction period.
- 38 Before works start for any relevant site/stage, the permit holder or developer must advise all persons undertaking the vegetation removal and road works of all relevant permit conditions.
- 39 Before works start for any relevant site/stage, a native vegetation protection fence must be erected around all patches of native vegetation to be retained on site in accordance with the SEMF.
- 40 Any permits required under the *Flora and Fauna Guarantee Act 1988* for the removal of protected flora, must be obtained prior to the commencement of any works for any relevant stage.
- 41 In order to offset the removal of 0.919 hectares of native vegetation (including 18 large trees within Parcels B and D) approved as part of this permit, the permit holder must provide a native vegetation offset that meets the following requirements, and is in accordance with the *Permitted Clearing of Native Vegetation - Biodiversity assessment guidelines* and the *Native Vegetation gain scoring manual*.
- 42 The secured offset must
- (a) Contribute a gain of 0.420 general biodiversity equivalence units.
 - (b) Be located within the Goulburn Broken Catchment Management Authority boundary or Mount Buller Alpine Resort.
 - (c) Have a strategic biodiversity score of at least 0.716.
 - (d) Include 18 large trees.
- 43 Before any vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the Responsible Authority. This evidence must include one or both of the following measures:
- (a) A security agreement, to the required standard, for the offset site or sites, including a 10 year offset management plan.
 - (b) A credit register extract from the Native Vegetation Credit Register.
- 44 Every year, for ten years, after the Responsible Authority has approved the offset management plan, the permit holder must provide notification to the Responsible Authority of the management actions undertaken towards the implementation of the offset management plan. An offset site condition statement, including photographs, must be included in this notification.

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Note: This condition does not apply to offsets on the native vegetation credit register as these include monitoring requirements.

- 45 The construction footprint must be to the minimum required to retain and protect the greatest area of native vegetation. All native vegetation to be retained should be properly protected from all construction and operational works, including soil dumps, machinery parking and storage of construction materials.
- 46 All rehabilitation measures must use local indigenous species and follow recommendations set out in the endorsed Rehabilitation Plan.

AusNet Services

- 47 For any relevant stage of the development, the permit holder or developer must:
- (a) Enter in an agreement with AusNet Electricity Services Pty Ltd for supply of electricity to allocated locations within the development plan.
 - (b) Enter into an agreement with AusNet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
 - (c) Enter into an agreement with AusNet Electricity Services Pty Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created within the development area, or by such means as may be agreed by AusNet Electricity Services Pty Ltd.
 - (d) Provide easements satisfactory to AusNet Electricity Services Pty Ltd for the purpose of reticulating power in the favour of "AusNet Electricity Services Pty Ltd" pursuant to Section 88 of the Electricity Industry Act 2000.
 - (e) Obtain for the use of AusNet Electricity Services Pty Ltd any other easement required to service the development and any other easement required.
 - (f) Adjust the position of any existing AusNet Electricity Services Pty Ltd easement to accord with the position of the electricity network as determined by survey.
 - (g) Delete.
 - (h) Delete.
 - (i) Provide to AusNet Electricity Services Pty Ltd a copy of development plan/s submitted for consideration/certification that shows any amendments that have been required.
 - (j) Delete.
 - (k) Ensure that all necessary auditing is completed to the satisfaction of AusNet Electricity Services Pty Ltd to allow the new network assets to be safely connected to the distribution network.
 - (l) Set aside on the plan of subdivision Reserves for the use of AusNet Electricity Services Pty Ltd for electric substations.
 - (m) Provide survey plans for any electric substations required by AusNet Electricity Services Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AusNet Electricity Services Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act 1958 prior to the registration of the plan of subdivision.

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Country Fire Authority

- 48 Street Hydrants (to the satisfaction of the Mt Buller Mt Stirling Alpine Resort Management Board) are to be installed to give coverage to the site for any relevant stage. The maximum distance between a hydrant and the rear of a building envelope (or in the absence of a building envelope, the rear of a lot) must be 120 metres and hydrants must be no more than 200 metres apart.
- 49 Prior to commencement of the development of Parcel B and Parcel D, an amended Bushfire Management Plan (BMP) generally in accordance with the BMP prepared by Terramatrix, dated January 2020 must be submitted to and approved by the Responsible Authority. The amended BMP must show:
- (a) Two defendable space zones:
- (i) 'Inner zone' – being the areas identified as past permitted clearing (coloured yellow) and vegetation to be removed (coloured purple) on Parcels A, B and D, as shown on Figure 3 Proposed vegetation loss, Parcel B & D dated 20th May 2020 of the Flora and Fauna Assessment Report, prepared by Biosis, dated 20 May 2020.
- (ii) 'Outer zone' – being the balance of vegetation on Parcels B and D (coloured blue), as shown on Figure 3 Proposed vegetation loss, Parcel B & D dated 20th May 2020 of the Flora and Fauna Assessment Report, prepared by Biosis, dated 20 May 2020.
- (b) Defendable space prescriptions that apply to each zone:
- (i) 'Inner zone' – vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:
- Grass must be mowed and maintained during the declared fire danger period.
 - All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
 - Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
 - Shrubs must not be located under the canopy of trees.
 - Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
 - Trees must not overhang or touch any elements of the building.
 - The canopy of trees must be separated by at least 5 metres.
 - There must be a clearance of at least 2 metres between the lowest tree branches and ground level.
- (ii) 'Outer zone' – vegetation must be managed to the following standard:

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- Trees must not overhang the roofline of any building, touch walls or other elements of the buildings.
- Grass must be no more than 5 centimetres in height and all leaves and vegetation debris are to be removed at regular intervals.
- Plants greater than 10 centimetres in height at maturity must not be placed directly in front of a window or other glass feature.
- Tree branches below 2 metres from ground level must be removed.

(c) Remove reference to the defendable space and building footprints for Parcel A, excluding the footprint and vegetation removal associated with the service trenches and retarding tanks.

- 50 All buildings in Parcel B must be designed and constructed to a minimum bushfire attack level of BAL-40 and the buildings in Parcel D to a minimum Bushfire Attack Level of BAL-29, unless otherwise agreed in writing by the Country Fire Authority.

Bushfire

- 51 The bushfire mitigation 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.

Goulburn Murray Water

- 52 No buildings or works may be erected or constructed within 30 metres of a waterway.
- 53 All wastewater from the development must be disposed of via connection to the reticulated sewerage system in accordance with the relevant authority.
- 54 All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

Adventure Play Area

- 55 Prior to completion of the road, details of the proposed fort/adventure park and any associated ski trail must be agreed with Mt Buller Mt Stirling Alpine Resort Management.
- 56 The fort/adventure park and any associated ski trails must be completed prior to commencement of use of the road.

Informal Ski Trails

- 57 The informal ski trail along the alignment of the Telstra trench and its connection to Standard Lane must be maintained and accessible during the winter season.

Geotechnical Report

- 58 The recommendations of the *Preliminary Geotechnical Assessment prepared by Phil Styles and Associates, 20 March 2015* endorsed as part of this permit must be adhered to in the final design of the development unless otherwise approved by the Responsible Authority.
- 59 Prior to the commencement of works referred to in condition 5(h), a preliminary geotechnical assessment must be submitted to and approved by the Responsible Authority.

Any recommendation/s must be adhered to in the final design of the development unless otherwise approved by the Responsible Authority.

- 60 A Preliminary Geotechnical Assessment report to be prepared by a suitably qualified and experienced geotechnical practitioner to assess the impact and stability in relation to the lowering of the road by approximately one metre. The report must be submitted to and approved by the Responsible Authority. Any recommendations of the report must be adhered to in the final design of the development unless otherwise approved by the Responsible Authority.
- 61 The gabion wall and headlight reflection fence must be constructed prior to the Victorian governments 2019 declared commencement of the ski season and be in accordance with the endorsed plans.

Buller Gas

- 62 The permit holder for Cabin 9, Parcel B, must enter into an agreement with Buller Gas for the re-arrangement of any services affected by the development.
- 63 The permit holder for Cabin 9, Parcel B, must enter into an agreement with Buller Gas for the connection of any reticulated gas services required.

Permit Expiry

64 In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:

- (a) The development is not started within two (2) years of the date of this permit.
- (b) The development is not completed within four (4) years of the date of this permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend the permit if:

- (i) a request is made in writing before the permit expires;
- (ii) 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 12 months after the permit expires and the development started lawfully before the permit expired.

Date Issued: 24 February 2016

Signature for the responsible authority

Note: Under Part 4, Division 1A of the *Planning and Environment Act 1987*, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.



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THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment	Name of responsible authority that approved the amendment
16 November 2018	<ul style="list-style-type: none"> • Changes to the property name and preamble • Changes to conditions 1(a)(iii), 1(a)(iv), 6, 15(b), • Deletion of conditions 1(d), 1(j), 31(g), 31(h) and 31(j) • Inclusion of new conditions 1(m), 1(n), 8(f), 8(g), 44 and 45 • Conditions renumbered taking into account the changes 	Minister for Planning
29 October 2020	<ul style="list-style-type: none"> • Changes to the property address • Changes to the preamble • Deletion of conditions 1 and 9 • Changes to conditions 3, • Conditions 12, 13, 14, 35, 36, 38, 39, 40, 41, 42, 44, 45 and 46 renumbered • Changes and renumbering to conditions 5, 6, 7, 8, 10, 11, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 37 & 43 • Inclusion of new conditions 5, 6, 10, 11, 12, 13, 14, 15, 24, 25, 26, 27, 30, 31, 36, 37 & 39 • Inclusion of 3 new notes 	Minister for Planning
30 April 2021	<ul style="list-style-type: none"> • Changes to Chalet 10 to include a basement, a covered way to entry, minor window modifications and changes to floor layout • Inclusion of one new note 	Minister for Planning
14 September 2021	<ul style="list-style-type: none"> • Changes to Cabin 9 within Parcel B to include the addition of an external terrace to the north, deletion of a terrace to the south and internal layout changes with some window/door changes • Inclusion of one new note 	Minister for Planning

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10 February 2022

- Changes to Cabin 6 within Parcel B to include increase the length and width, alterations to the internal layout, changes to setbacks and changes to terrace materials
- Correction to floor areas of Cabins 2 and 4 within Parcel B
- Cabin 9 within Parcel B consistent with plans endorsed on 14 September 2021
- Inclusion of one new note from AusNet Services

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9 September 2022

- Changes to Cabin 9 within Parcel B to include increase the length and width, increase the overall height, alterations to the internal layout with some window changes, entry changed, deletion of walkway to the east and changes to setbacks
- Inclusion of two new Buller Gas conditions (conditions 62 and 63)
- Conditions renumbered

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Notes:

Flora and Fauna Guarantee Act 1988

A permit under the *Flora and Fauna Guarantee Act 1988* will be required for the removal of protected flora species prior to the commencement of any native vegetation removal.

Cultural Heritage Management Plan

Cultural Heritage Management Plan No. 13391 prepared by Biosis and approved 3 June 2015 applies to the project.

Cultural Heritage Management Plan No. 15649 prepared by Biosis and approved 23 July 2018 applies to the project.

Mt Buller Mt Stirling Alpine Resort Management Board

Nothing in this permit may be interpreted as implying that the village shuttle service will service the proposed development. The servicing of the development by the shuttle bus service will be subject to an assessment of the economic viability and operational requirements (including road safety) and will need to be agreed with Mt Buller Mt Stirling Alpine Resort Management Board prior.

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.

The permit holder or developer must ensure compliance with the Mt Buller Mt Stirling Alpine Resort Management Board's Conditions of Connections.

AusNet Services

AusNet Services refers to Energy Safe Victoria (ESV) for safety information and advice. 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/>

Goulburn Murray Water

The subject property is located within an area of Cultural Heritage Sensitivity. Should the activity associated with proposed development require a Cultural Heritage Management Plan (CHMP), planning permits, licences and work authorities cannot be issued unless a CHMP has been approved for the activity.

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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 a plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; 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 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 of 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.

**ADVERTISED
PLAN**

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Department of Transport and Planning

GPO Box 2392
Melbourne, VIC 3001 Australia
www.dtp.vic.gov.au

Appl. Ref.: 201529926-6

26/05/2023

Grollo Group
c/- Gabrielle Head-Gray
Environmental Planner
Biosis
38 Bertie St
PORT MELBOURNE VIC 3207

ADVERTISED PLAN

Dear Ms Head-Gray

EXTENSION OF TIME APPLICATION 201529926-6 WHITE HORSE VILLAGE ROAD MOUNT BULLER VIC 3723

I refer to the above matter submitted to the Minister for Planning C/- Department of Transport and Planning (the Department) on 8/05/2023.

Under delegation from the Minister for Planning, I have decided to extend the time of Planning Permit 201529926-6 by one (1) years pursuant to Section 69 of the *Planning and Environment Act 1987*.

Planning Permit 201529926-6 will now expire if the development is not completed by 24 February 2025.

A copy of this letter must be attached to the planning permit.

Should you have any further queries in relation to this matter please do not hesitate to contact Georgia Brodrick on telephone 03 8508 2044 or email Georgia.brodrick@delwp.vic.gov.au.

Yours sincerely,

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Michael Dafnomilis
Senior Planner, Development Approvals and Design
1/06/2023

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