

Planning and Environment  
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

## PLANNING PERMIT

<b>Permit No.:</b>	PA2302685
<b>Planning scheme:</b>	Alpine Resorts Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	2 Memorial Drive, Hotham Heights

### THE PERMIT ALLOWS:

<b>Planning scheme clause No.</b>	<b>Description of what is allowed</b>
Clause 44.06 Bushfire Management Overlay	Construct a building or carry out works associated with use of the land for accommodation.

### 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 layout of the development must not be altered from the layout shown on the approved and endorsed plans without the written consent of the Responsible Authority

#### Commencement

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

#### Endorsement of Bushfire Management Plan

3. 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.
4. Before the development starts, the Bushfire Management Plan prepared by Crowther and Sadler Pty Ltd (version 1, dated 19/06/2024) must be submitted to the Responsible Authority for endorsement. Once endorsed, the plan must not be altered unless agreed to in writing by the Country Fire Authority and the Responsible Authority.

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**Expiry – Development**

5. This permit will expire if:

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

Pursuant to Section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend:

- i. The commencement date referred to if a request is made in writing before the permit expires or within six months afterwards.
- ii. The completion date referred to 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:**

Department of Transport notes:

Planning Permit\_PA2302685 must be read in conjunction with Development Plan number **DP2302684** for **2 Memorial Drive, Hotham Heights**

Alpine Resort Mt Hotham Notes:

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.

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**IMPORTANT INFORMATION ABOUT THIS PERMIT**

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**WHAT HAS BEEN DECIDED?**

The responsible authority has issued a permit

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**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**.

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**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.

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**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.

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**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: 24 July 2024 Signature for the responsible authority:

