

NOTICE OF DECISION TO AMEND A PERMIT

Application No.:	PA1900648-1
Planning Scheme:	Alpine Resorts Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	11 The Avenue. Mount Buller (Lease Site 17)

**THE RESPONSIBLE AUTHORITY HAS DECIDED TO AMEND A PERMIT.
THE AMENDED PERMIT HAS NOT BEEN ISSUED.**

PERMIT FOR WHICH AMENDMENT WAS SOUGHT:	PA1900648
WHAT AMENDMENT IS BEING MADE TO THE PERMIT?	• Delete condition 5, 6, 18, 19, 23, 24, 25, 26 • Amend condition 1 • Insert 6 new conditions after condition 8 as conditions 9 to 14 • Insert 8 new conditions as conditions 20, 21, 22, 27, 47, 48, 54 and 55 • Amend conditions 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 30, 39, 41, 42, 43 and 47 and renumber as conditions 16, 17, 18, 19, 23, 24, 25, 26, 28, 29, 30, 34, 43, 45, 46, 49 and 53 respectively. • Subsequent renumbering of conditions. • One new note from Mount Buller Alpine Resort. • One modified note from Department of Energy, Environment and Climate Action. • Replace 'Mt Buller and Mt Stirling Alpine Resort Management Board' with 'Mount Buller Alpine Resort Management' to reflect current structure and naming. • Replace 'Department of Environment, Land Water and Planning – Hume Region' with 'Department of Energy, Environment and Climate Action (DEECA)' to reflect current structure and naming.

Date of notice: 18 September 2026 **Signature for the responsible authority:**



TO WHAT CONDITIONS IS THE AMENDMENT SUBJECT?

Amend condition 1 to read:

Before the development starts, including demolition, bulk excavation and site preparation works, 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 must generally be in accordance with the plans prepared by:

- Interlandi Mantesso Architects and dated October 2025;

but modified to show the following:

- a. A note confirming that the dwellings will be constructed to a standard of BAL-40.
- b. The use of 'Glenrowan-Grey Granite Stone Veneer Walls or Similar Natural Stone' in place of 'Glenrowan-Grey Granite Stone Veneer Walls or Similar'.
- c. A section and elevation of the proposed screening to windows at a scale of 1:20.
- d. A note confirming that the proposed screening to windows will be no more than 25% permeable.
- e. Deleted.
- f. A note confirming a matte non-reflective finish to the roof.
- g. Deleted
- h. Include minimum setbacks to the eastern lease boundary (rear), reduced window size to the Rumpus Room for the Penthouse Apartment, reduced ridge height of carport and angled form of the Penthouse Apartment, the ridge RL added to the carport roof, privacy screens added to the Penthouse Apartment (Kitchen and Dining Room, Bedroom 2 and Bedroom 3) and privacy screens added to Apartment 201 (Bedroom 1, Bedroom 2, Bedroom 3 and Kitchen), as detailed in the discussion plans prepared by Interlandi Mantesso Architects in DWG No's TP4.01 (Rev B), TP4.02 (Rev A), TP4.03 (Rev A), TP4.04 (Rev B), TP4.05 (Rev A), TP5.01 (Rev B) and dated 18 June 2026.
- i. Retention and protection fencing to be shown for Tree No's 12 and 36.

New condition 9 to read:

Notification of Permit Conditions

Before works start, the permit holder must advise all persons undertaking the vegetation removal and road works of all relevant conditions of this permit.

New condition 10 to read:

Protection of Native Vegetation to be Retained

Before works start, a native vegetation protection fence must be erected around all patches of native vegetation and scattered trees to be retained on site. All tree protection zones must comply with AS 4970-2025 *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.

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New condition 11 to read:

Within the area of native vegetation to be retained and any associated tree protection zone, the following are prohibited:

- a. Vehicular or pedestrian access
- b. Trenching or soil excavation
- c. Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
- d. Entry and exit pits for underground services
- e. Any other actions or activities that may result in adverse impacts to retained native vegetation.

The Responsible Authority may consent in writing to vary these requirements.

New condition 12 to read:

Offset Requirement

In order to offset the removal of 0.134 hectares of native vegetation, as identified in Native Vegetation Removal Reports BIO_2019_095 and 384_20260420_WA9, the permit holder must secure a native vegetation offset, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) as specified below:

- a. A general offset of 0.75 general habitat units:
 - i. Located within the Goulburn Broken Catchment Management Authority boundary at Mount Buller/Mount Stirling Alpine Resort Boundary
 - ii. With a minimum strategic biodiversity score of at least 0.696 and include the protection of 3 large trees.

New condition 13 to read:

Offset Evidence and Timing

Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the Responsible Authority. This evidence is one or both of the following:

- a. Credit extract(s) allocated to the permit from the Native Vegetation Credit Register and/or
- b. An established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10 year management actions and ongoing management of the site.

A copy of the offset evidence must be endorsed by the Responsible Authority and will form part of the permit.

New condition 14 to read:

Monitoring and Reporting for Onsite Offset Implementation

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In the event that a security agreement is entered into as per condition 12b, the applicant must provide the annual offset site report to the Responsible Authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

Amend condition 10 (renumbered as condition 16) to read:

Prior to the commencement of any buildings and works, a site-specific services plan must be provided to the satisfaction of the Mount Buller Alpine Resort and include:

- a. Drainage: A drainage design plan showing any proposed drain alignments and drip line drains and pits, to ensure surface run-off discharges to the legal point of discharge.
- b. Stormwater: A Stormwater Management Plan must be submitted to and approved by Mount Buller Alpine Resort as per Clause 53.18 of the Alpine Resorts Planning Scheme.
- c. Sewer: A below ground drainage plan showing the proposed drain alignments and the location of the inspection shaft where it connects to the Mount Buller Alpine Resort reticulated sewer.
- d. 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.
- e. Note: for Dual occupancies and attached dwellings: A separate service connection point for each dwelling is required.

Amend condition 11 (renumbered as condition 17) to read:

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 relevant Mount Buller Alpine Resort 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. This can be organised by contacting planning@alpineresorts.vic.gov.au.

Amend condition 12 (renumbered as condition 18) to read:

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 Mount Buller Alpine Resort in accordance with the resorts Conditions of Connections.

Amend condition 13 (renumbered as condition 19) to read:

When carrying out any connection to water and/or sewerage and/or gas services, 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 Mount Buller Alpine Resort to allow notification to affected customers.

New condition 20 to read:

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.

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New condition 21 to read:

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.

New condition 22 to read:

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 Mount Buller Alpine Resort.

Amend condition 14 (renumbered as condition 23) to read:

Damage to adjoining Mount Buller Alpine Resort assets, including roads, stormwater 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 Mount Buller Alpine Resort.

Amend condition 15 (renumbered as condition 24) to read:

Prior to the commencement of any buildings and works, the permit holder or developer must seek advice and arrange an on-site meeting with relevant Mount Buller Alpine Resort representatives to verify the exact location of the relocated rubbish hut. The rubbish hut must not be relocated until the new site location has been agreed to by the Mount Buller Alpine Resort representatives. All relocation works are to be carried out at the expense of the permit holder or developer and be to the satisfaction of the Mount Buller Alpine Resort.

Amend condition 16 (renumbered as condition 25) to read:

All external and internal 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; and
- d. The period between 15 May and the end of the declared snow season.

Amend condition 17 (renumbered as condition 26) to read:

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.

New condition 27 to read:

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

Amend condition 20 (renumbered as condition 28) to read:

Any 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 the Mount Buller Alpine Resort.

Amend condition 21 (renumbered as condition 29) to read:

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

Amend condition 22 (renumbered as condition 30) to read:

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 Mount Buller Alpine Resort.

Amend condition 30 (renumbered as condition 34) to read:

All construction activity and site rehabilitation works must be undertaken in accordance with the endorsed Site Environmental Management Plan (SEMP) and Construction Waste Management Plan (CWMP), unless otherwise approved by the Responsible Authority in consultation with Alpine Resorts Victoria (ARV). All contractors working on the site must be provided with a copy of the endorsed SEMP and CWMP and a copy must be retained on-site at all times during the construction period.

Amend condition 39 (renumbered as condition 43) to read:

Where fauna is encountered during construction, a suitably qualified person or consultant with management authorisation under the Wildlife Act 1975, should relocate the individual no more than 100 metres from the disturbance site and within the same or better-quality habitat, suitable for that species. Where no suitably qualified person is available to relocate fauna, works must cease in that location and advice sought from DEECA.

Amend condition 41 (renumbered as condition 45) to read:

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

Amend condition 42 (renumbered as condition 46) to read:

All wastewater from the dwellings must be disposed of via connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.

New condition 47 to read:

No buildings are to be constructed within 30 metres of any waterways or on any drainage lines.

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New condition 48 to read:

Stormwater must be discharged to a legal point as nominated by the Responsible Authority. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

Amend condition 43 (renumbered as condition 49) to read:

Before the development starts, the Bushfire Management Plan, 11 The Avenue, Mount Buller, prepared by Mountain Planning, dated 16/12/2026 must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.

Amend condition 47 (renumbered as condition 53) to read:

The applicant must enter into an agreement with Buller Gas for the existing gas service line to be relocated to a suitable location. The service line needs to be extended to the new property, and the gas meter enclosure must be in a location approved by Buller Gas, providing safe access and avoiding snowshed.

New condition 54 to read:

The existing high pressure gas line must be safely terminated clear of the construction zone by Buller Gas prior to construction commencing. Site works on the gas service and meter enclosure are at the applicant's expense and must not commence until the locations have been confirmed and approved by Buller Gas.

New condition 55 to read:

The applicant must enter into an agreement with Buller Gas for the Connection of any new reticulated gas services required and any work on gas assets must be authorised by Buller Gas, prior to the assets being connected back to the Gas distribution network.

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USEFUL INFORMATION:

(The following additional information will not form part of this permit)

Mount Buller Alpine Resort Management

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.

Department of Energy, Environment and Climate Action

Works or other activities on public land, which may affect protected native plants, may require a Protected Flora Permit under the Flora and Fauna Guarantee (FFG) Act 1988. All native vegetation likely to be affected should be checked against the most up to date Protected Flora List (DEECA) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DEECA office hume_nep@deeca.vic.gov.au.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has decided to amend a permit. The amended permit has not been issued.

This notice sets out the changes to be made to the existing permit.

WHAT ABOUT REVIEWS?

For the applicant—

- The person who applied for the amendment to the permit may apply for a review of any amendment to what the permit will allow, and any new or amended condition to which the permit will be subject, and any provision of the permit which the applicant asked to be amended but which has not been amended. The application for review must be lodged within 60 days of the giving of this notice.

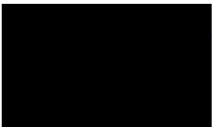
For an objector—

- An objector may apply for review of the decision of the responsible authority to amend a permit. The application for review must be lodged within 28 days after the date of this notice.
- If there is no application for review, a permit will be issued after 28 days after the date of this notice.

For all applications for review

- 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, each other party and each other person entitled to notice of the application for review under the and the **Victorian Civil and Administrative Tribunal Act 1998** within 7 days after lodging the application with the Victorian Civil and Administrative Tribunal.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Date of notice: 18 September 2026 **Signature for the responsible authority:**

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