

## PLANNING PERMIT

<b>Permit No.:</b>	PA2302644
<b>Planning scheme:</b>	Alpine Resorts Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	Northside/Spurs Area, Mt Buller Ski Field, Mt Buller

### 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
42.01-2	Construct a building or construct or carry out works
42.01-2	Remove, destroy or lop any vegetation, including dead vegetation
43.02-2	Construct a building or construct or carry out works
44.01-2	Construct a building or construct or carry out works
44.01-2	Remove, destroy or lop any vegetation
44.06-2	Construct a building or construct or carry out works for buildings associated with leisure and recreation use.

### 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.
2. The development and vegetation removal as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

#### Commencement

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

Date issued: 2 April 2024 Signature for the responsible authority:



### Site Environmental Management Plan

4. 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 Mount Buller Alpine Resort. All persons working on the site must be provided with a copy of the endorsed SEMP and must adhere to and retain a copy of the plans on site at all times during the construction period.

### Shutdown

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

### Site condition

6. 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.

### Site induction

7. The permit holder or developer must arrange an on-site meeting with relevant Mount Buller 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

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

### Road closures

9. 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 Mount Buller Alpine Resort.

### Waste management

10. All construction activity and site rehabilitation works must be undertaken in accordance with the endorsed Waste Management Plan unless otherwise approved by the Responsible Authority in consultation with Mount Buller Alpine Resort.

### Snow confinement

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

### Site management

12. Snow shed must be managed to ensure that entries to buildings, 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.



**Landscaping and rehabilitation**

13. Before the practical completion of the development, all landscaping and rehabilitation of the site must be undertaken in accordance with the endorsed Site Rehabilitation and Revegetation Management Plan, to the satisfaction of the Responsible Authority.

**Relocation and connection of services**

14. 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.

**Bushfire mandatory condition**

15. The bushfire protection 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.

**Installation of a flow meter or 'v' notch weir within open drain to Burnt Hut Spur reservoir**

16. Before the commencement of buildings and works or the removal of vegetation, the permit holder must install a flow meter or 'v' notch weir within the open drain of Burnt Hut Spur reservoir, as recommended in the "Addendum to Preliminary Geotechnical Risk and Foundation Assessment", prepared by Taylor Consulting Engineers and dated 8 January 2024 to the satisfaction of the Responsible Authority in consultation with Mount Buller Alpine Resort.

**Alpine Resorts Victoria (ARV)**

*Geotechnical*

17. All buildings and works must be carried out in accordance with the geotechnical recommendations described in the preliminary geotechnical assessment report "Preliminary Geotechnical Risk and Foundation Assessment" and "Addendum to Preliminary Geotechnical Risk and Foundation Assessment", prepared by Taylor Consulting Engineers and dated 21 November 2023 and 8 January 2024 respectively.

*Services*

18. 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 Mount Buller 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.
19. When carrying out any connection to water, sewerage and gas services, the permit holder or developer shall 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 Mount Buller Alpine Resort to allow notification to affected customers.

*Damage to Mount Buller Alpine Resort Infrastructure*

20. 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 Mount Buller 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.

21. Prior to the commencement of any buildings and 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](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 Mount Buller 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 developer to the satisfaction of Mount Buller Alpine Resort.

#### **Goulburn Murray Water**

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

#### **Expiry (buildings and works)**

24. 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 two years of the issued date of this permit.
  - b) The development is not completed within four 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 the 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.

#### **Expiry (vegetation removal)**

25. This permit will expire if one of the following circumstances applies:
  - a) The removal, destruction or lopping of vegetation does not start within two years of the issued date of this permit.
  - b) The removal, destruction or lopping of vegetation is not completed within four years of the issued date of this permit.



**USEFUL INFORMATION:**

(The following information does not form part of this permit)

- The permitted development may need to comply with, or obtain the following further approvals:
  - A building permit under the *Building Act 1993*.
- Buller Ski Lifts, in conjunction with the Alpine Resorts Victoria, to undertake the following works to the Burnt Hut Spur reservoir, (as recommended in the “Addendum to Preliminary Geotechnical Risk and Foundation Assessment”, prepared by Taylor Consulting Engineers and dated 8 January 2024):
  - Annual reservoir condition inspections, review construction and monitoring records and undertake recommended repair works as nominated.
- Buller Ski Lifts to undertake the following works to the Burnt Hut Spur reservoir, (as recommended in the “Addendum to Preliminary Geotechnical Risk and Foundation Assessment”, prepared by Taylor Consulting Engineers and dated 8 January 2024):
  - Monthly checks of flow rates within the open drain. Buller Ski Lifts to instal a flow meter or ‘v’ notch weir within open drain to monitor and quantify flow rates and turbidity (suspended solids) to check for increased flows plotted against rainfall to determine change in conditions. Above average flow rates to be escalated for further review or action, such as a structural inspection for cracking of the concrete lining.

**AusNet Services**

- As there are AusNet Services Underground Power Lines in the vicinity of the approved buildings and works, please note the following in regard to working near AusNet assets:
  - AusNet Services refers to Energy Safe Victoria (ESV) for safety information and advice. ESV notes the following:
    - As part of this process the permit holder or developer will need to undertake a Dial Before You Dig before construction takes place.
    - Go to the following for more information from the ESV on working near underground assets: <https://esv.vic.gov.au/technical-information/electrical-installations-and-infrastructure/no-go-zones/>

**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 Mount Buller Alpine Resort must be consulted to ensure compliance with all relevant resort policies and procedures.



Planning and Environment  
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

**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 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.

**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: 2 April 2024 Signature for the responsible authority:



OFFICIAL