

Planning and Environment  
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

**PLANNING PERMIT**

<b>Permit No.:</b>	PA2403157
<b>Planning scheme:</b>	Alpine Resorts Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	Northside Area, Mt Buller ski field, Mt Buller

**THE PERMIT ALLOWS:**

<b>Planning scheme clause</b>	<b>Matter for which the permit has been granted</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
42.01-2	Construct a fence
43.02-2	Construct a building or construct or carry out works
44.01-2	Construct a building or construct or carry out works
44.01-3	Remove, destroy or lop any vegetation
44.06-2	Construct a building or construct or carry out works associated with leisure and recreation use
52.17-1	Remove, destroy or lop native vegetation, including dead native vegetation

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

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**Date of issue:** 5 June 2025    **Signature for the responsible authority:**



**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 – no document previously submitted – construction waste management plan**

3. Before the development starts or vegetation is removed, a Construction Waste Management Plan demonstrating how different construction waste types (including demolition, construction and excavated material), will be separated, and legally disposed off mountain, must be submitted to, approved and endorsed by the responsible authority in consultation with Mt Buller Alpine Resort. The Construction Waste Management Plan must:
  - a. Be prepared to the satisfaction of the responsible authority
  - b. Be drawn to scale with dimensions (if applicable)
  - c. Submitted in electronic form
  - d. Show the following details:
    - i. Identification of expected types of waste.
    - ii. Methods proposed to reduce, reuse and recycle where possible.
    - iii. Methods of how construction waste will be contained on the site in skips and removed off mountain and where these waste skips will be located.
    - iv. Any proposed contingency plans if unexpected types of waste are discovered.
    - v. Acknowledgement that all waste must be removed from the Alpine Resort.

The responsible authority may consent in writing to vary these requirements.

Waste management and collection must be carried out in accordance with the requirements of the endorsed Construction Waste Management Plan to the satisfaction of the responsible authority.

**Approved and Endorsed Plans – changes required – Site Environmental Management Plan**

4. Before the development starts or vegetation is removed, a revised Site Environmental Management Plan (SEMP) must be submitted to, approved and endorsed by the responsible authority in accordance with the requirements specified in the conditions by Department of Energy, Environment and Climate Action.

**Approved and Endorsed Plans – changes required – Stage 2 Earthworks Plan**

5. Before the development starts or vegetation is removed, a revised Stage 2 Earthworks Plan must be submitted to, approved and endorsed by the responsible authority in accordance with the requirements specified in the conditions by Department of Energy, Environment and Climate Action.



**Layout not altered**

6. The development and vegetation removal as shown on the endorsed plans must not be altered without the prior written consent of the responsible authority.

**Geotechnical**

7. All buildings and works must be carried out in accordance with the geotechnical recommendations described in the 'Burnt Hut Water Storage Redevelopment, Mount Buller, Geotechnical Assessment and Landslide Risk Assessment', prepared by GHD Consulting Engineers and dated 19 December 2024.

**Site Environmental Management Plan**

8. 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**

9. 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**

10. 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**

11. 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**

12. 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**

13. 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.



**Site rehabilitation and revegetation management**

14. Before the practical completion of the development, all rehabilitation and revegetation works must be undertaken in accordance with the endorsed Site Rehabilitation and Revegetation Management Plan unless otherwise approved by the responsible authority in consultation with Mount Buller Alpine Resort.

**Snow confinement**

15. 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.

**Snow management**

16. 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.

**Relocation and connection of services**

17. 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.

**Vegetation removal and offsets**

*Native vegetation permitted to be removed, destroyed or lopped*

18. The native vegetation identified in 384\_20250122\_UUY and permitted to be removed, destroyed or lopped under this permit is 0.154 hectares of native vegetation, which is comprised of:
- a) 0.154 hectares of native patch vegetation.

*Native vegetation offsets*

19. To offset the removal of 0.154 hectares of native vegetation, the permit holder must secure a native vegetation offset in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017). The permit holder must secure the following offsets:
- a) A general offset of general habitat units.
  - b) 0.0960 general habitat units located within the Goulburn Broken Catchment Management Authority boundary or Mount Buller Alpine Resort area.
  - c) With a minimum strategic biodiversity value of at least 0.7191.

*Offset evidence*

20. Before any native vegetation is removed, evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:
- a) 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 this permit.



At the conclusion of the project, offset requirements can be reconciled with agreement by the responsible authority and DEECA.

*Notification of permit conditions*

21. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

**Bushfire mandatory condition**

22. 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.

**Alpine Resorts Victoria (ARV)**

*Services*

23. Prior to the commencement of any buildings or work, 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.
24. 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.
25. 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 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.
26. Alpine Resorts Victoria will require access to all manholes/ valve locations for future investigation and maintenance. Reasonable access cannot be restricted by built form, including proposed walkways.
27. Prior to commencement of excavation works, Alpine Resorts Victoria will require detailed civil and structural footing design, including walkway footings, demonstrating no surcharging on underground assets.

*Damage to Mount Buller Alpine Resort Infrastructure*

28. 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](mailto:planning@alpineresorts.vic.gov.au).
29. 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.





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Regulations 2015

Form 4

Sections 63, 64, 64A and 86

30. 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.

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

*Protection of retained vegetation*

31. Prior to commencement of works, areas where there is to be no disturbance, 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 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.

*Amended Earthworks Plan*

32. Prior to the commencement of works, amended plans to the satisfaction of the Department Energy, Environment and Climate Action and the responsible authority must be submitted to and 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 and be generally in accordance with the plans submitted with the application but modified to show:
- a) Revised stage 2 earthworks reflective of project ‘no-go’ zones and areas of vegetation to be retained.

*Amended Site Environmental Management Plan*

33. Prior to the commencement of works, an amended Site Environmental Management Plan (SEMP) to the satisfaction of the Department Energy, Environment and Climate Action and the responsible authority must be submitted to and approved by the responsible authority. When approved, the SEMP will be endorsed and will then form part of the permit. The SEMP must be generally in accordance with the SEMP submitted with the application but modified to include the following:
- a) Species specific risk-mitigation measures, including:
    - i. Prevention of fauna entrapment
    - ii. Pre-construction wildlife checks.

Works must be conducted and carried out in accordance with the updated Site Construction Management Plan and endorsed Site Environmental Management Plan (SEMP). All persons working on site must be provided with a copy of the endorsed SEMP and Construction Management Plan and must adhere to all requirements of the SEMP and Construction Management Plan. A copy of these documents must be kept on site at all times during the construction period.

**Goulburn Murray Water**

34. All construction and ongoing activities must be in accordance with EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023).
35. All works must be in accordance with the Site Environmental Management Plan dated 15th August 2024 submitted with the application, to the satisfaction of the responsible Authority.

Date of issue: 5 June 2025 Signature for the responsible authority:



**Expiry (buildings and works)**

36. 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)**

37. This permit will expire if one of the following circumstances applies:

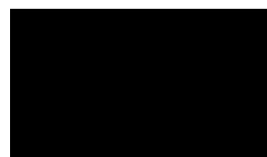
- a) The removal, destruction or lopping of vegetation does not start within two years of the issued date of this permit.
- b) The removal, destruction or lopping of vegetation is not completed within four years of the issued date of this permit.

**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*.

**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.
    - It is acceptable to work greater than 6.4m from any overhead power lines.
    - If power lines are within 3.0 - 6.4m, a registered spotter must be implemented.
    - If it is under 3.0m it is known as a NO GO ZONE where official permission from AusNet Services is required via Extec (see below).
    - For more ESV information on NGZ processes follow this link:  
<https://www.esv.vic.gov.au/technical-information/electrical-installations-and-infrastructure/no-go-zones/>
    - For AusNet Services 'No Go Zone' requirements, please contact our partner Extec Services, who manage the NGZ permits on our behalf. Their details can be obtained at: <https://www.ausnetservices.com.au/en/Safety/Working-Near-Lines>



**Alpine Resorts Victoria (ARV)**

- Vehicle access to the Northside via the 'Upper Boggy Creek Trail Ski Slope' is required to be identified considering if the site boundary blocks any access.
- 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.
- Alpine Resorts Victoria note the previous relevant projects to this application being the (100ML) Mt Buller Sustainable Water Security Off Stream Project's Federal (EPBC 2014/7303) as well as State (Planning Permit PA1600138-1) approval conditions that affect the site.
- Alpine Resorts Victoria note the Ecological Rehabilitation Plan (ERP; Biosis 2020) and ERP Addendum (Biosis 2021) that identify the Project Construction Footprint (PCF) and it's retained native vegetation which cross over into the proposed construction area.

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

- Before any works on public land start, a permit to take protected flora under the Flora and Fauna Guarantee (FFG) Act 1988 may be required. An application can be obtained from [www.deeca.vic.gov.au/conserving-threatened-species/protected-flora-and-listed-fish](http://www.deeca.vic.gov.au/conserving-threatened-species/protected-flora-and-listed-fish), under Protected flora permit. To obtain an FFG permit or further information, please contact a Natural Environment Program officer in the [hume\\_nep@deeca.vic.gov.au](mailto:hume_nep@deeca.vic.gov.au)

**Goulburn Murray Water**

- Any enquiries or applications regarding existing flow meter ME055312 located on the west side of the Burnt Hut Water Storage should be made to Goulburn-Murray Water Diversions Operations by calling 1800 013 357.





Planning and Environment  
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

**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.

Date of issue: 5 June 2025    Signature for the responsible authority

