

PLANNING PERMIT

Permit No.: PA1700203

Alpine Resorts Planning Scheme

Responsible Authority: Minister for Planning

ADDRESS OF THE LAND:

LOTS 3 & 4/17 HIGGI DRIVE
MT HOTHAM

THE PERMIT ALLOWS:

Buildings and works associated with alterations and additions to the existing building, earthworks and native vegetation removal in accordance with the endorsed plans.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT

Endorsed Plans

1. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
2. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

**Mount Hotham Alpine Resort Management Board
Geotechnical**

3. The work is carried out in accordance with the geotechnical recommendations described in the preliminary geotechnical assessment report "Hotham Heights Properties Pty Ltd, Snowtel Lodge Flats 3 and 4, Geotechnical Risk Assessment Report" dated September 2016.
4. At the completion of the works provision of written certification by a qualified geotechnical engineer that the above condition has been met. MHARMB note the report contains recommendations for onsite inspections during proposed excavation works.

Utilities

5. The developer / occupier is to seek "Dial before you Dig" advise and arrange an on- site meeting with relevant RMB representatives prior to the commencement of any excavation works at the site.
6. Any relocation of water, sewerage or gas services (if any) shall be carried out at the expense of the developer / occupier and to the satisfaction of the Responsible Authority and Resort Management Board.
7. When (if) carrying out any water, sewerage and gas services relocation works, the developer / occupier shall ensure that continuity of supply is maintained at all times to those sites which may be affected by such relocation.

Site Environmental Management Plan

8. A copy of the Site Environmental Management Plan signed by the builder is to be submitted prior to the commencement of works.
9. Any full or partial closure of Higgi Drive for construction works is to be conducted with preapproval of the MHARMB to allow for notification to relevant stakeholders.
10. The proposed fill area adjacent to Higgi Drive is to be constructed using clean fill sourced on site and suitably compacted. The finished surface is to be stabilised and revegetated using indigenous species.

Department of Environment, Land, Water and Planning

11. All works must be consistent with the submitted Site Environmental Management Plan (SEMP).
12. Stockpiles of soil, building materials or waste are not to be located on top of adjacent native vegetation.
13. Sediment control measures must be in place before commencement of any building works and maintained in satisfactory condition during works as outlined in the Site Construction Management Plan.
14. 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.
15. In order to offset the removal of 0.091 hectares of native vegetation approved for removal as part of this permit, the applicant 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.
16. The offset must:
 - (a) Contribute gain of 0.056 general biodiversity equivalence units.
 - (b) Be located within the North East Catchment Management Authority boundary.
 - (c) Have a minimum strategic biodiversity score of at least 0.791.
17. Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the Responsible Authority. This offset must meet the offset requirements set out in this permit and be in accordance with the requirements of *Permitted clearing of native vegetation – Biodiversity assessment guidelines and the Native vegetation gain scoring manual*. Offset evidence can be either:
 - (a) A security agreement, to the required standard, for the offset site or sites, including a 10 year offset management plan, or
 - (b) A credit register extract from the Native Vegetation Credit Register.
18. Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant 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.
19. All revegetation works at the site must be suitable indigenous species.

Bushfire

20. 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.

Country Fire Authority

21. A construction level of BAL 40 is to be used for the construction of the Development.
22. Vegetation management is to occur to the property boundary. Vegetation to be managed to the following standard:
 - (a) Grass must be short cropped and maintained during the declared fire danger period,
 - (b) All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period,
 - (c) Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building,
 - (d) Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building,
 - (e) Shrubs must not be located under the canopy of trees,
 - (f) Individual and clumps of shrubs must not exceed 5m² in area and must be separated by at least 5 metres,
 - (g) Trees must not overhang or touch any elements of the building,
 - (h) The canopy of trees must be separated by at least 5 metres,
 - (i) There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Site Clean and Tidy

23. All external activity shall cease and the site shall be left in a clean and tidy condition:
 - (a) For the period between Christmas Day and New Year's day (inclusive).
 - (b) For the Easter Holiday period.
 - (c) For the duration of any major events occurring within the Mount Hotham Alpine Resort area as may be notified by the Mount Hotham Alpine Resort Management Board.
 - (d) From 15 May to the end of the declared snow season.

Expiry of Permit

24. This permit will expire if:
 - I. The development is not started within two (2) years of the date of this permit; or
 - II. The development is not completed within four (4) years of the date of this permit.

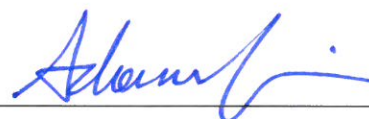
Pursuant to Section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend:

- III. The commencement date referred to if a request is made in writing before the permit expires or within six (6) months afterwards.
- IV. The completion date referred to if a request is made in writing within six (6) months after the permit expires and the development started lawfully before the permit expired.

Date Issued: 21/7/2017

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.



Notes:

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.