

OVER SNOW VEHICLE POLICY – FALLS CREEK

ARV Operational Policy

1. Statement

The use of Over Snow Vehicles in the Falls Creek Alpine Resort (Resort) is controlled by Alpine Resorts Victoria (ARV) in order to manage risk, preserve the ambience of the village and encourage safe pedestrian movement. It is a specific policy of ARV to limit the number of Over Snow Vehicles in the Resort and ensure associated usage relates specifically to business needs, emergency services and resort/ski field operations. This Policy document provides guidance on the management and operation of Over Snow Vehicles within the Resort.

2. Scope

This Policy applies to all Over Snow Vehicle users in all areas within the Resort including the village roads.

ARV acknowledges that the ski-in-ski-out offering at Falls Creek acts as a competitive differentiator for the Resort. Within this context, maintaining the natural snow covering of the village roads is a priority.

This policy looks to support this winter offering through minimising the use of Over Snow Vehicles in the Resort, and in doing so also improving public amenity and safety.

To assist with pedestrian movement around the Resort, ARV contracts a provider to deliver passenger transport services. In principle, this provider has exclusive right to deliver and charge for this service as a delegated responsibility of ARV. This same provider also offers freight transfer services to minimise the need for individual businesses to transport their own goods around the Resort.

3. Requirements

3.1 Over Snow Vehicle Permit

To use an Over Snow Vehicle within the Resort the owner must secure an Over Snow Vehicle Permit (Permit) from ARV. To obtain a Permit, businesses must complete an annual application form with ARV that demonstrates the applicant's ability to meet the following criteria:

- a) The Permit is for the provision of a specified service that has a genuine commercial, emergency service or ski field operational need.
- b) That the applicant can demonstrate that they have the required insurance to provide the stated service (over and above standard vehicle insurance).
- c) That the applicant is compliant with any relevant laws, legislation and regulations that apply to that service, and has a history of good compliance.
- d) That the Over Snow Vehicle will not replicate the passenger or freight service provided by the resort transport provider contracted by ARV.

e) In the instance that the applicant is looking to provide a passenger transport service outside of the parameters of the contracted Resort transport provider, the applicant must first demonstrate the service they intend to offer is not available or cannot be provided by the approved transport provider and seek written approval from ARV.

Once written approval is received the applicant must provide evidence that the Over Snow Vehicle is:

- registered with Safe Transport Victoria and accredited under Part 4 of the *Bus Safety Act 2009*, unless declared exempt by Safe Transport Victoria under section 7(1)(c) of the *Bus Safety Act 2009*; **or**
- registered with Safe Transport Victoria under the Commercial Passenger Vehicle Industry Act 2017 (CPVI Act) (section 4) Commercial Passenger Vehicles and has passed a vehicle inspection and been issued with proof of identification that is displayed on the vehicle.

f) The Over Snow Vehicle that the Permit application is associated with must be currently registered in the State of Victoria and have registration plates attached to the vehicle.

g) The Over Snow Vehicle that the Permit application is associated with must adhere to all VicRoads regulations.

h) That all drivers of the Over Snow Vehicle have a current Australian Driver's Licence, or valid international drivers permit, or current overseas licence. Where the licence is not in English, an international driver's permit is required.

i) All requisite documentation in support of the application is provided and associated fees paid.

Based on the above criteria ARV will, at its sole discretion, determine if an applicant has been successful in receiving a Permit. There is no automatic entitlement to a Permit for an Over Snow Vehicle and ARV reserves the right to limit the number of Permits it issues in any given year.

Over Snow Vehicles must be used only for the purposes for which the Permit was approved. It is a breach of the Permit conditions to lease or loan vehicles to a third party so that this policy is circumvented. Contravention of the same will result in cancellation of ALL Permits by the registered holder.

The Permit holder is fully responsible for all use of the vehicle by others including ensuring the Permit conditions are under compliance at all times for all users.

In accordance with the Regulations, ARV may cancel the Permit if any condition of the Permit has been breached.

3.2 Vehicle Standards

All Over Snow Vehicles are required to comply with standards as follows:

1. **Emissions & Noise** – Over Snow Vehicles must comply with the *Environment Protection (Vehicle Emissions) Regulations 2013*. This includes emissions such as oil or coolant leaks must be immediately rectified once identified.
2. **Electromagnetic Interference** – all vehicles must be suitably screened to eliminate electromagnetic interference with other signals in the village. In particular older model snowmobiles may require to be fitted with ignition suppressors to avoid this problem.
3. **Mechanical Safety** – all vehicles must be in a mechanical operating condition suitable for the intended purpose. All safety features of the vehicle must be fully operational and must not be tampered with or altered in any way.
4. **Insurance** – all vehicles must have appropriate insurance for registering motor vehicles in that state of Victoria.

A compliance certificate or suitable documentary evidence may be requested by ARV if, in its reasonable judgement, there is evidence of non-compliance of any of the above items. Where an Over Snow Vehicle is also registered for use on standard road surfaces, road worthy compliance must be in accordance with the *Road Safety Act 1986* and any regulations.

3.3 Permit Stickers and Operator Cards

ARV will provide Permit stickers for each approved Over Snow Vehicle and Operator cards for each approved Operator of snowmobiles. ATVs do not require an additional Operator card. Stickers must be fixed to the vehicle in a visible location. Operator cards must be carried by the Operator at all times the vehicle is in use.

3.4 Training

Employers must ensure they comply with the *Occupational Health & Safety Act 2004* with respect to the duty of care to all employees. This means ensuring they are sufficiently trained for the duties of their respective employment, including the operation of Over Snow Vehicles.

In addition to this, ARV will provide free of charge Operator training regarding the use of Over Snow Vehicles within the resort boundary in alignment with this policy. The focus of the ARV training is to ensure that the vehicle Operator clearly understands where Over Snow Vehicles are able to access and resort-specific considerations for use.

ARV does not provide training on the specific operational use of the vehicle.

Participation in this training is mandatory for snowmobile users. Upon completion, users will be provided with an Operator Card that must be carried by Operators when using Over Snow Vehicles.

3.5 Areas of Use

The following Permit categories restrict Over Snow Vehicle areas of use:

1. **Yellow Permit:** access to village only, including BHP Rd between Falls Creek Rd and Slalom St. Access to Lower Slalom carpark is only permitted for the purposes of business permit (red permit) vehicle retrieval.
2. **Red Permit:** per yellow permit and ski field area.
3. **Blue Permit:** access to all areas within the resort boundary.

Full conditions of each Permit category are outlined in the ARV Over Snow Vehicle Manual.

No Over Snow Vehicles are permitted below the village Gully Carpark entry point at any time.

3.6 Alcohol

All Over Snow Vehicles must be operated with a BAC level in accordance with Victorian State Law.

3.7 Speed

All Over Snow Vehicles must travel within the defined Resort speed limits at all times. The speed limit on the village roads is 15 km/h. Other limits apply for other areas of use – refer to the ARV Over Snow Vehicle Manual.

3.8 Use of Helmet

Operation of all Over Snow Vehicles (except ATVs and UTVs with fully enclosed ROPs) have a mandatory requirement for use of an approved ski helmet or a protective vehicle helmet. Ski helmets must comply with the CEN 1077 standard (or equivalent) and protective vehicle helmets must comply with AS1698:2006 or UN/ECE 22.05. Requirements for helmets must also comply with state legislation for use of vehicle types on public roads. It is the responsibility of the Over Snow Vehicle owner to comply with these requirements.

3.9 Misuse of Vehicle

The following items will constitute a breach of Permit based on the reasonable judgement of ARV:

- a) operation of an Over Snow Vehicle in contravention to the manufacturer's rated capacity;
- b) operation causing an unreasonable disturbance to others;
- c) operation in a dangerous manner;
- d) modification to an Over Snow Vehicle impacting the safe operation of the vehicle;

- e) failing to rectify damaged or defective items affecting safe operation of an Over Snow Vehicle; and
- f) use of the Over Snow Vehicle for reasons outside of the permit use as outlined in this policy;

3.10 Post Season Removal

All Over Snow Vehicles must be removed from all roadway parking areas at the conclusion of the Declared Snow Season. Failure to comply will impact future Permit applications and may result in impoundment of the vehicle in accordance with the Regulations.

3.11 Permit Fees

3.11.1 Fee Amounts

Fees for use of Over Snow Vehicles will be provided in the online application and are subject to CPI increases or review.

The fee amount is inclusive of the following:

1. Entry of the Over Snow Vehicle to the Resort;
2. Use, driving and parking of an Over Snow Vehicle as part of the Permit; and
3. ARV administration costs

The fee structure in the Policy has been set to encourage the transition from snowmobiles to tracked vehicles.

3.11.1 Waiving of Fees

ARV shall waive all fees payable for Over Snow Vehicles registered to the following entities:

- Parks Victoria
- Victoria Police
- Country Fire Authority (CFA)
- State Emergency Service (SES)
- Ambulance Victoria
- AGL
- Telstra
- Ausnet Services
- ARV Contracted Service Providers

3.12 Applicable Infringements

The following personal infringements may apply to non-compliant use of an Over Snow Vehicle under the Regulations and/or Policy:

- | | |
|---|-------------------------|
| 1. Vehicle driven or parked in an area prohibited under the Permit conditions: 20(2) | 2 Penalty Units |
| 2. Not displaying vehicle Permit: 20(4) | 1 Penalty Unit |
| 3. Unauthorised entry to an area set aside for impounded vehicles: 29(2) | 2 Penalty Units |
| 4. Vehicle driven in a manner causing damage to Board assets: 53(2) | 2 Penalty Units |
| 5. Obstruct Board operations and works: 54(3) | 2 Penalty Units |
| 6. Failing to follow direction and contravening Div3. Sec 28 of the Regulations (up to) | 20 Penalty Units |

Note that other infringements can also be issued by Victoria Police for compliance matters relating to use of a vehicle on public roads in accordance with Victorian State Law.

3.13 ARV Enforcement Actions

ARV may take the following actions in relation to breaches of this Policy:

1. On occasion of the first breach the Permit holder will receive a written warning.
2. On occasion of the second breach the Permit holder will receive an infringement notice.
3. On occasion of the third breach the Permit holder will have their Permit cancelled and will receive an infringement notice.

4. For any subsequent use of the Over Snow Vehicle, the vehicle will be impounded to be stored at the Howman's Gap Snow Clearing Quarters under Regulation 13. Release of the vehicle will only occur at the conclusion of the Declared Snow Season and will be subject to a further infringement notice.

Release of impounded vehicles must be made in writing. If no such request is forthcoming annually by 31st December in the year of impoundment, ARV will recover costs via sale of the asset.

For gross breaches of the Policy or Regulations, ARV reserves the right to immediately cancel the Permit and issue any applicable infringements.

4. Responsibilities

Position	Responsibility
ARV	as the regulatory body in the Resort, ARV representatives are to ensure this policy is implemented and compliance occurs within the Resort
Authorised Officers	have the authority to take action by way of issuing a warning or infringement if the Regulations have been breached or non-compliance to this policy
Permit Holder	it is the responsibility of the Permit Holder to comply with the regulations with this policy

5. Legislation

Registered Over Snow Vehicles are classed as motor vehicles and use of these vehicles on the village roads is governed by the Road Management Act 2004, the Road Safety Act 1986 (including all amendments) and any regulations made thereunder. Members of Victoria Police are authorised to prosecute for any offence against these acts or the road safety regulations.

Additionally, the Alpine Resorts (Management) Act 1997 (Act) and Alpine Resorts (Management) Regulations 2020 (Regulations) provide for the protection, management and control of alpine resorts by:

- prohibiting access to areas of alpine resorts by persons and vehicles;
- setting aside areas in the alpine resorts for access and use by the public;
- regulating the use, driving and parking of vehicles in alpine resorts; and
- prescribing fees and penalties for the purposes of the Alpine Resorts (Management) Act 1997.

Officers authorised under both the Alpine Resorts (Management) Act 1997 and the Conservation, Forests and Lands Act 1987 have the authority to act in accordance with the Regulations, including the issuance of penalty infringement notices for failure to comply with an Over Snow Vehicle permit.

Specific Legislation:

Alpine Resorts (Management) Act 1997

Alpine Resorts (Management) Regulations 2020

Conservation, Forests & Lands Act 1987

Conservation, Forests & Lands (Infringement Notice) Amendment Regulations 2010

Road Safety Act 1986

Road Management Act 2004

Environment Protection (Vehicle Emissions) Regulations 2013

6. Related documents

- Falls Creek Over Snow Guidelines
- Falls Creek Over Snow Vehicle Manual including the Zone Map

7. Definitions

Term	Definition
ARV	Alpine Resorts Victoria
ATV	All-Terrain Vehicle
Over Snow Vehicles	An Over Snow Vehicle means a vehicle specifically designed for use on or over snow including Snow mobiles, ATV's and UTV's. Vehicles modified or adjusted for the purposes of allowing travel on or over snow are considered to be an Over Snow Vehicle.
Permit	The Over Snow Permit issued by ARV that enables the Over Snow Vehicle to be used within resort boundaries in alignment with the permit classification
Permit Holder	Person whose name is on the permit application and supporting documentation
Regulations	The Alpine Resorts (Management) Act 1997 (Act) and Alpine Resorts (Management) Regulations 2020 (Regulations)
UTV	Utility Terrain Vehicle
Resort	Falls Creek Alpine Resort
Operator Card	ARV provided card that confirms snowmobile training for use in the resort boundary has been successfully completed. (Not how the vehicle itself is specifically used).
ROPs	Vehicle Roll-Over Protection Structure
Declared Snow Season	The period formally announced by ARV and typically commencing on the Kings birthday weekend, during which specific restrictions or regulations apply to areas where snow is likely to be present.
ARV Over Snow Vehicle Manual	The manual to provide safe operation of all Over Snow Vehicles with the Falls Creek Resort boundary.
VicPol	Victoria Police

8. Approval and implementation

Policy Custodian	Policy contacts details	Approval Date	Approver
General Manager – Falls Creek	policyregister@alpineresorts.vic.gov.au	June 2025	CEO

9. Version Control

Version Number		
Document Reference:	01	Policy Custodian: GM Falls Creek
Approved By:	Amber Gardner, CEO	Approval Date: 03/06/2025
Last Amended:	03/06/2025	Next Review Date: 03/06/2026
Comments:		