



Department of Environment, Land, Water and Planning

8 Nicholson Street
East Melbourne, Victoria 3002
PO Box 500
East Melbourne, Victoria 8002

Ms Allison Beckwith
Chief Executive Officer
Banyule City Council
Email address: Anthony.diaferia@banyule.vic.gov.au

Dear Ms Beckwith

PROPOSED BANYULE PLANNING SCHEME AMENDMENT C107BANY

I refer to your council's application for authorisation to prepare an amendment to the Banyule Planning Scheme. The amendment proposes to include a site-specific provision and draft planning permit to facilitate an outdoor recreation facility at 340 to 680 The Boulevard, Ivanhoe East. The amendment and application for planning permit seek approval for the use and development of land for an outdoor recreation facility (tree top adventure park), display of advertising signage and the removal of native vegetation.

Under delegation from the Minister for Planning, in accordance with section 8A of the *Planning and Environment Act 1987* (the Act) I authorise your council as planning authority to prepare the amendment subject to the following conditions:

1. Remove the s96A permit from the amendment and place all relevant conditions into the incorporated document. This will ensure that the basis for the special control is to facilitate a specified form of development.
2. Make necessary consequential changes to the amendment documents.
3. Change the amendment to insert the incorporated document ('Tree Top Adventure Facility, 340-680 The Boulevard, Ivanhoe East, May 2018') in the Schedule to the Clause 45.12 (Specific Controls Overlay) and Clause 72.04 of the Banyule Planning Scheme and provide planning scheme maps for the land to which the Specific Controls Overlay applies.
4. Amend the incorporated document as necessary to address the changes required by conditions of this authorisation, including the use of the Specific Controls Overlay and the removal of the planning permit.
5. The ordinance changes must be authored in the Amendment Tracking System (ATS) and must be in accordance with the Ministerial Direction on the Form and Content of the Planning Scheme.

The amendment must be submitted to the Minister for approval.

The authorisation to prepare the amendment is not an indication of whether or not the amendment will ultimately be supported.

Privacy Statement

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Please note that [Ministerial Direction No. 15](#) sets times for completing steps in the planning scheme amendment process. This includes council:

- giving notice of the amendment within 40 business days of receiving authorisation; and before notice of the amendment is given, setting Directions Hearing and Panel Hearing dates with the agreement of Planning Panels Victoria. These dates should be included in the Explanatory Report ([Practice Note 77: Pre-setting panel hearing dates](#) provides information about this step).

The Direction also sets out times for subsequent steps of the process following exhibition of the amendment.

The Minister may grant an exemption from requirements of this Direction. Each exemption request will be considered on its merits. Circumstances in which an exemption may be appropriate are outlined in [Advisory Note 48: Ministerial Direction No.15 – the planning scheme amendment process](#).

In accordance with sections 17(3) and (4) of the Act, the amendment must be submitted to the Minister **at least 10 business days** before council first gives notice of the amendment. I recommend you liaise with DELWP planners about the satisfaction of the conditions of authorisation prior to submitting of exhibition documents.

Please submit the amendment electronically using the Amendment Tracking System (ATS).

If you have any further queries in relation to this matter, please contact Robbie De Sousa-Reay, Department of Environment, Land, Water and Planning, by email at robert.desousa-reay@delwp.vic.gov.au.

Yours sincerely,



MELENA MCKASKILL
Manager
State Planning Services

17 July 2020