

# Planning Report

## Planning Scheme Amendment

340-680 The Boulevard, Ivanhoe

Prepared for:  
Ecoline Pty Ltd

September 2020

4916



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## Document Review

Date	Author	Reviewer	Notes
15 January 2018	Ansuya Bhat/Aileen Chin	Aileen Chin	Preliminary Draft for Council Initial Review
28 February 2018	Aileen Chin	Aileen Chin	Draft with amendment documentation for Council Review
7 October 2020	Aillen Chin	Frank Perry	Planning Report Revision

# 1 Executive Summary

## Subject Site

Address:	340 to 680 The Boulevard, Ivanhoe
Lot Description:	<p>The eastern portion of Crown Allotment 2E within the Parish of Keelbundora, created by instrument MI121222X, as shown in Crown Diagram CD048476M);</p> <p>and</p> <p>The north-eastern portion of Crown Allotment 2H within the Parish of Keelbundora, created by instrument MI121225R, as shown in Crown Diagram CD048477K.</p>

## Amendment Details

Amendment requirement:	Amend the Schedule to Clause 45.12 'Specific Controls Overlay; and amend the Schedule to Clause 72.04
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## Relevant Planning Controls

Zone:	Public Conservation and Resource Zone
Overlays:	<p>Specific Controls Overlay;</p> <p>Schedule 1 to the Environmental Significance Overlay;</p> <p>Schedule 4 to the Environmental Significance Overlay;</p> <p>Schedule 134 to the Heritage Overlay;</p> <p>Land Subject to Inundation Overlay;</p> <p>Schedule 1 to the Significant Landscape Overlay.</p>
SPPF:	<p>Clause 12.05 – Significant Environments;</p> <p>Clause 15.01 – Built Environment;</p> <p>Clause 17.04 – Tourism.</p>

## LPPF:

Clause 21.04-4 – Community Facilities;  
Clause 22.01 – Outdoor Advertising Policy;  
Clause 22.03 – Safer Design Policy.

## Particular Provisions:

Clause 52.05 – Signs;  
Clause 52.06 – Car Parking;  
Clause 52.17 – Native Vegetation;  
Clause 52.34 – Bicycle Parking.

## Reference Documents:

Revised Yarra Flats Concept Plan 2013;  
Victorian Visitor Economy Strategy 2016.

## 2 Introduction

Perry Town Planning has been engaged by Ecoline Pty Ltd to facilitate a planning scheme amendment including an incorporated document with conditions for the use and development of land within the Yarra Flats Park at 340 to 680 The Boulevard, Ivanhoe (more specifically Crown Allotment 2E as shown in Crown Diagram CD048476M and Crown Allotment 2H as shown in Crown Diagram CD048477K, within the Parish of Keelbundora, or henceforth referred to as the subject site for an outdoor Tree Top Adventure Park (also referred to as TreeTops).



It was originally proposed for the establishment of the Tree Top Adventure Park to be facilitated through a combined planning scheme amendment and planning permit process pursuant to section 96A of the Planning and Environment Act. However, in view of the changes introduced into Victorian Planning Schemes through Amendment VC148 it was determined to provide for the proposed use and development through the application of the Specific Controls Overlay and the introduction of an incorporated document which includes conditions to be applied to the operation of the adventure park. The draft incorporated document dated September 2020 forms part of the proposed amendment.

The proposal is supported by a Transport Impact Assessment prepared by One Mile Grid Pty Ltd dated May 2016; a Tree Health and Hazard Arboriculturist's Report and Tree Management Plan prepared by Advanced Treescape Consulting, dated 28 October with addendum dated 2019, a Flora and Fauna Assessment, Native Vegetation Assessment and Land Management Plan prepared by Practical Ecology dated December 2018, a Native Vegetation Removal Report dated November 2018 and a Preliminary Signage Strategy TreeTops at Yarra Flats by Treetops dated June 2017. It should be noted that specialist reports prepared before the approval of amendment VC148 reference the previous planning controls.

### 2.1 Amendment

Ecoline Pty Ltd is requesting the City of Banyule (the planning authority and responsible authority) to prepare a planning scheme amendment to facilitate the use and development of the subject site for an outdoor tree top adventure park subject to conditions.

The Amendment proposes to:

-  Amend the Schedule to Clause 45.12 'Special Controls Overlay' to reference land at 340-680 The Boulevard, Ivanhoe and list the incorporated document 'Tree Top Adventure Facility, 340-680 The Boulevard, Ivanhoe East, May 2018'. This is to enable consideration for the use and development of an Outdoor recreation facility at the site, as the proposed use is prohibited under the current zone (PCRZ).
-  Amend clause 72.04 to include 'Tree Top Adventure Facility, 340-680 The Boulevard, Ivanhoe East, May 2018' as an incorporated document.

## 3 Site Context

### 3.1 Subject Site

The amendment affects land within the wider Yarra Flats Park at 340 to 680 The Boulevard, Ivanhoe. More specifically, it is referred to as:

- ✚ The eastern portion of Crown Allotment 2E within the Parish of Keelbundora, created by instrument MI121222X, as shown in Crown Diagram CD048476M; and
- ✚ The north-eastern portion of Crown Allotment 2H within the Parish of Keelbundora, created by instrument MI121225R, as shown in Crown Diagram CD048477K.

Yarra Flats is an 85 hectare park which features natural bushland, wetlands and a number of informal picnic areas. The subject site is located in the north-eastern section of the park as shown in Figure 2 and affects approximately 4.3ha of the park. The subject site is heavily vegetated varying between large canopy trees and dense undergrowth and shrubbery.



Figure 1: Satellite photograph of the subject site and surrounding amenities [Source: Nearmap]

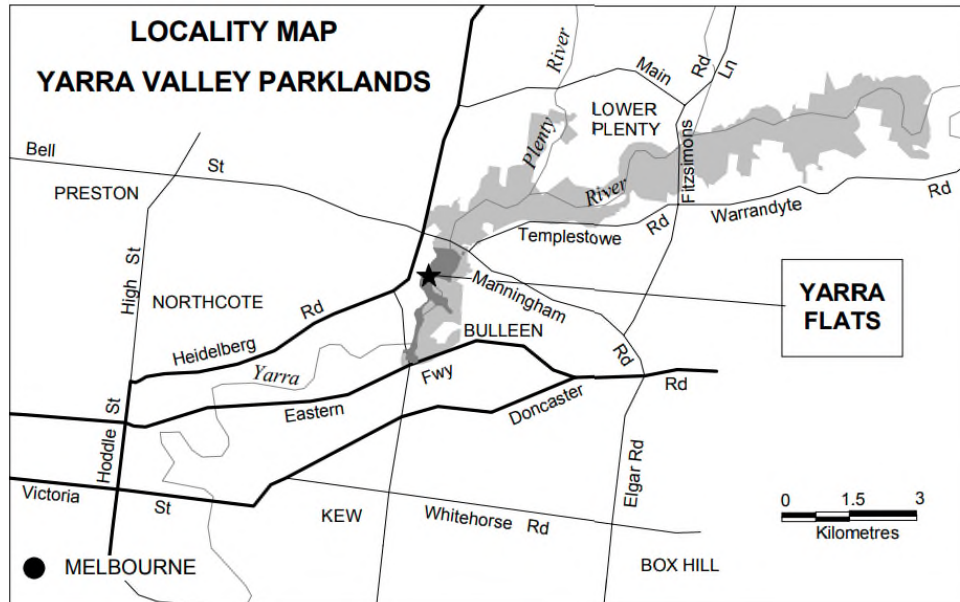


Figure 2: Survey plan prepared for the proposal indicating vegetation on site (highlighted in green)

### 3.2 Yarra Flats Park

Yarra Flats Park features 85 hectares of pastoral and heritage landscapes, natural bushland, wetlands, abundant birdlife and a number of informal picnic areas.

There is a wood barbecue, picnic tables and shelters located along Yarra Flats Entry Road.



Vehicle entry to the park is available from The Boulevard, Ivanhoe East on the western boundary of the park, via Yarra Flats Entry Road. Entry to and from the park is controlled by use of an electronic park gate. This gate is open from the hours of 6am to 6pm which is extended to 9pm during daylight savings.



**Figure 3: Vehicular Entry via Yarra Flats Entry Road into Yarra Flats Park from The Boulevard (view facing east)**



Figure 4: Yarra Flats Entry Road (view facing west)

Vehicles will need to enter the site approaching from Banksia Street, via The Boulevard onto Yarra Flats Entry Road.

The subject site is serviced by a number of public car parking areas, located on and accessed from the internal access road as shown in Figure 5 below.

A total of 127 car spaces are currently provided on-site, although the 41 easternmost parking spaces are currently closed for public car access (denoted by the orange marker below).

Please refer to the Transport Impact Assessment prepared by Onemilegrid and submitted with the application for further information.



Figure 5: Car parking available [Source: Transport Impact Assessment prepared by Onemilegrid]



Figure 6: Closed car park area (view to the east)



Figure 7: South-eastern car park (view to the south)

There are existing toilets and washroom facilities available within a brick structure located outside of the subject site. The toilets at Yarra Flats are however closed, with the nearest toilets at Banksia Park or Warringal Parklands.

The proponent intends to upgrade the existing facilities which will be reopened to the public and utilised by visitors.



**Figure 8: Toilets and washroom facilities (view to the south)**

### 3.3 Interfaces with the Park

The subject site is located within a remote part of the Yarra Flats Park. The below figure illustrates that there are no residential uses which fall within a 400 metre radius of the site. Part of the Bulleen industrial park is included within the radius.



**Figure 9: Satellite imagery of 400m radius around the site [Source: NearMap]**

The nearest residential dwellings are located:

- 420 metres east of the site, along Bulleen Road separated by the Yarra River
- 470 metres west of the site, along The Boulevard

All views into the subject site are screened by native vegetation.

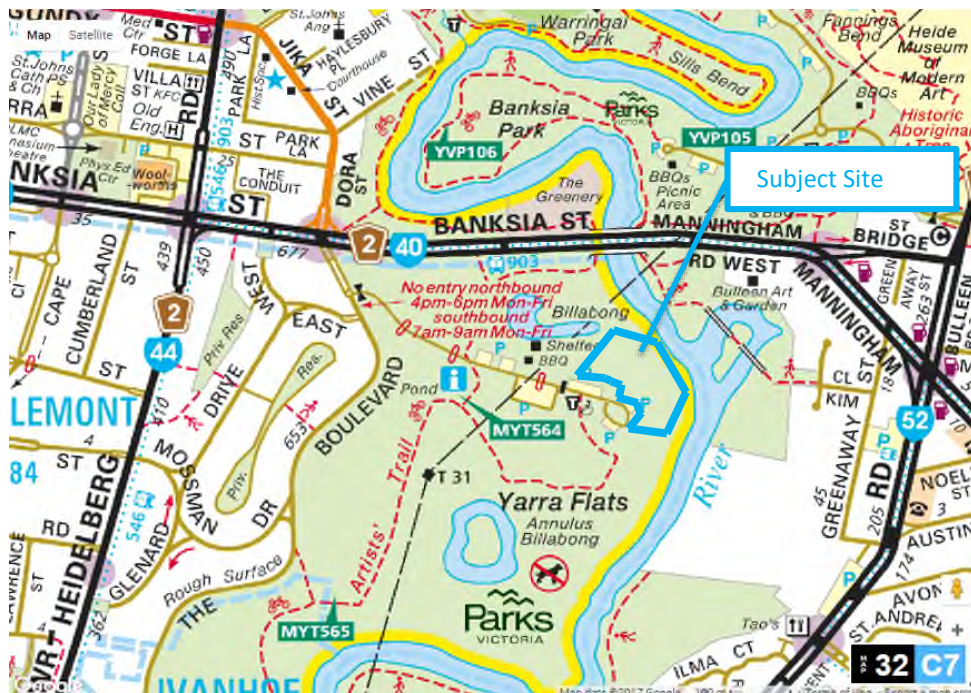


Figure 10: Street directory map showing location of subject site within Yarra Flats Park  
[Source: Melways]

## 4 Proposal

The proposal is described as a tree based adventure park, where participants slide down flying foxes, move from tree to tree on suspension bridges and other challenges within the established tree canopy across the site.

Parks Victoria, the land manager of Yarra Flats Park, has provided consent to Ecoline Pty Ltd to develop part of the park for the unique eco-tourism experience, “TreeTop Adventure Park”.

The existing amenities building with toilets and washrooms located outside of the TreeTop Adventure Park, between Car Park 1 and Car Park 2. The toilets are however closed, with the nearest toilets at Banksia Park or Warringal Parklands. The proponent intends to upgrade the existing facilities which will be reopened to the public and utilised by TreeTop Adventure Park visitors.

Parking for 127 cars will be accommodated by way of two existing car parks (Car Park 1 and Car Park 2 – refer to Figure 1 for locations) within easy walking distance of the TreeTop Adventure Park entrance. Both car parking areas are currently closed off to the public and are underutilised. Shuttle bus pick up and drop offs can be accessed via a loop track at the entrance of the adventure park, catering for a maximum of a 12.5m length coach bus.

The proposal also involves the construction of a site office on higher ground for administration purposes. The site office is identified as an “Administration Area” within Figure 11 below, and will consist of two (2) simple, timber clad shipping containers which will be appropriately anchored to the ground for stability during potential flooding in significant storm events. Pre-development advice has also been issued by Melbourne Water previously on 27 June 2016 with support provided for the site office, subject to conditions [Attachment A] as a mitigating measure to reduce impact from severe flood events.

The proposal seeks to utilise the existing bush setting, to create an outdoor adventure experience proximate to Melbourne. It will have minimal environmental impact, utilising existing trees and siting and design infrastructure to avoid native vegetation removal.

It will add a valuable economic, recreation and tourism use for Melbourne, which can operate throughout the year, and will have positive flow on effects for the local community in terms of employment and income to the local community.



Figure 11: Boundaries of the subject site and proposed development [Source: Nearmap]

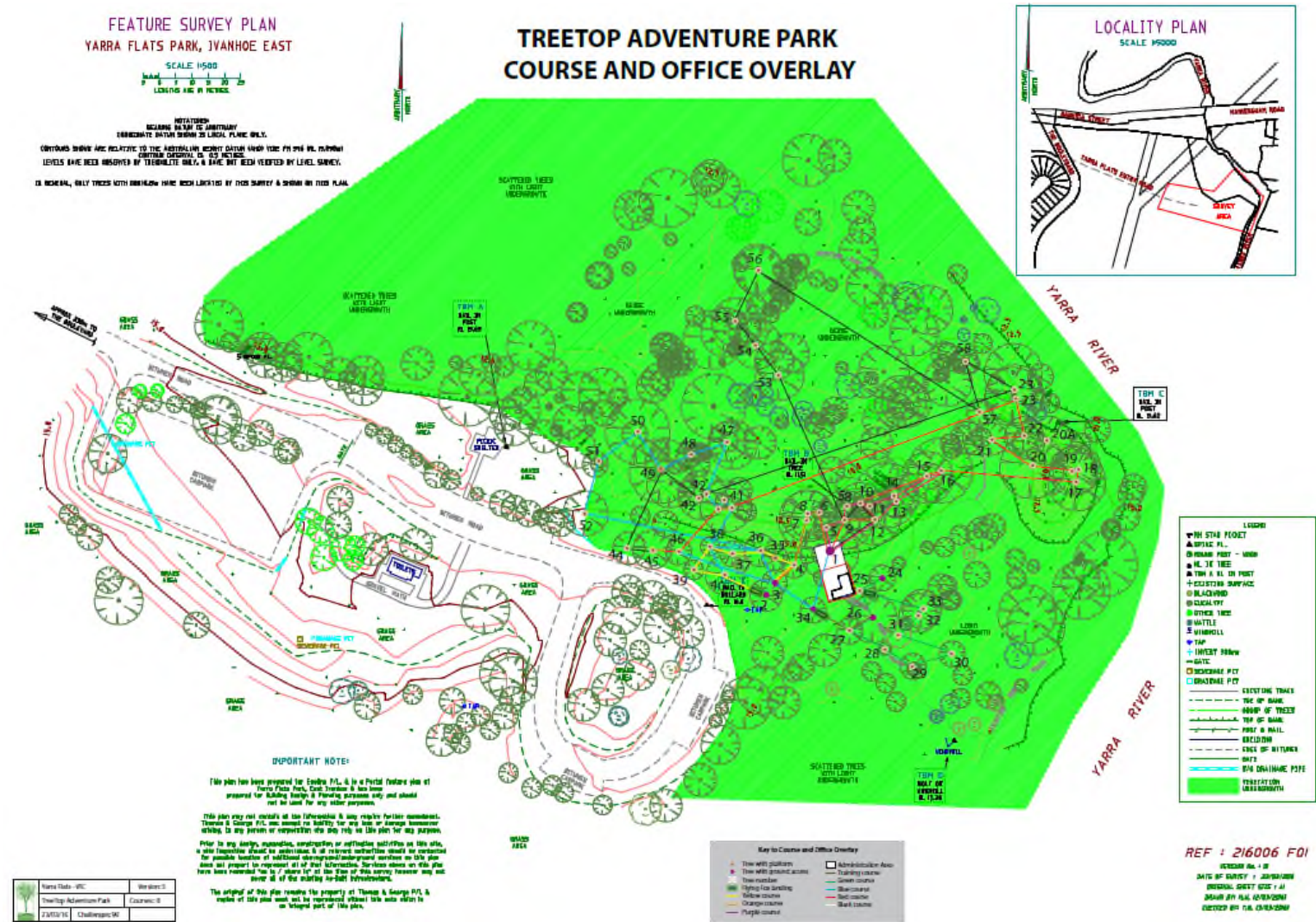


Figure 12: Proposed Tree Top Adventure Park facility and course plan

## 4.1 About the Facility

TreeTop Adventure Park offers obstacle course facilities in the tree tops open to a wide range of ages and abilities. It allows participants to have fun while being active in the outdoors, pushing their limits and learning about the environment. TreeTops at Yarra Flats will comprise of 8 courses with a total of 90 challenges. A course is a series of challenges suspended between the trees, with the aim being to complete each challenge in order to move from one platform attached around a tree to the next. The average time for participants to finish the courses is usually around 2 to 3 hours.

Challenges include flying foxes, nets, Tarzan jumps, timber planks that swing as you step from one to the next and many other ingenious apparatus. Each course is customised and designed with graded difficulty so participants can progress safely, at their own pace. They are colour coded according to difficulty and adapted to age groups. When participants finish one course they can move to the next or return in the future to take up the task. This encourages return visitation and, with courses updated on a regular basis, even a guest who has completed all courses will enjoy coming back for more surprises.

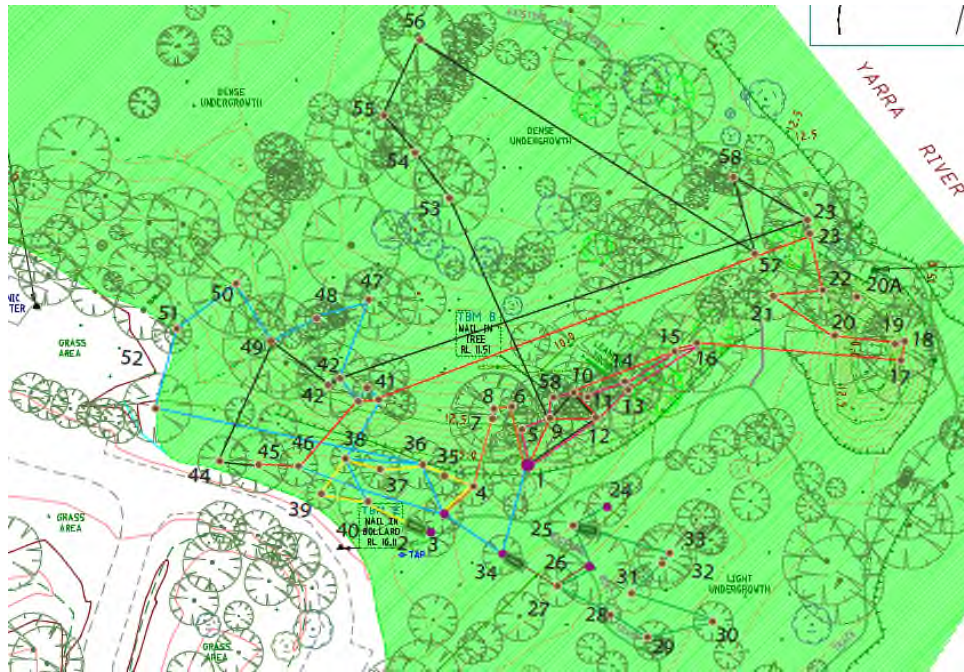


Figure 13: Proposed TreeTop Adventure Park rope course

The courses are broken down into the following:

Course	Participants	Grade
	Children	Easy
	Children	Medium
	Children	Advanced
	Juniors & Adults	Easy
	Juniors & Adults	Easy
	Juniors & Adults	Medium
	Juniors & Adults	Advanced
	16yrs & Adults	Difficult

Participant Category	Age Group
Children	3 to 9 year olds
Juniors	10 to 17 years (up to 1.4m height)
Adults	18 years plus

## 4.2 Operating Hours

TreeTops will be operating year round, 7 days a week, 364 days per year, and only closed on Christmas Day. Operating hours will also vary dependent on the season of the year.

The use is expected to be busiest on weekends and school and public holidays. During the week, visitations would largely comprise school or corporate groups.

Season	Operating days	Operating hours
25 September to 26 April inclusive	Monday to Sunday	9.00am - 6.00pm
Any other day	Monday – Friday	10.00am - 4.30pm <sup>1</sup>
	Saturday – Sunday & School Holidays	9.00am - 4.30pm

TreeTops opens in all weather conditions except very heavy winds or lightning. An emergency management plan safeguards the park.

## 4.3 Patron Capacity

The junior/adult courses will start 15 people every 30min and it is anticipated that visitors will be on the course for 1.5 to 2 hours. There will be 2 groups of 10 to 15 children starting on the children courses 30 minutes apart every 2 hours. It is anticipated that there will be a maximum of 100 people on the courses actively climbing on the courses at any one time.

The maximum number of people which the booking system allows for is up to 100 visitors.

The operation will require up to 8 staff. The operation will create around 16 positions of various levels.

The custom made online booking system is accessed through the TreeTops website and allows people to nominate the park they wish to attend, the age group of participants, the date and the time. This allows Ecoline Pty Ltd to have greater control over the number of people climbing throughout the day to ensure there are adequate numbers of Personal Protective Equipment available, a smooth flow of people through the courses and adequate staffing numbers to maximize safe operation and best customer service. Ecoline's Park managers are able to block out sessions on the online booking system in advance of each day for the most effective operation of each site.

All of Ecoline's promotional material including the website recommends that participants book before coming to the park to avoid the disappointment of finding that there are no available spaces left for climbers. Currently over 70% of customers use the online booking system to make their booking.

In relation to the maximum capacity of the site, it is not possible to nominate this as the TreeTop Adventure Park is on public crown land within the Yarra Flats Park, which is open for public access. No fencing is proposed for the use and visitors may freely enter and pass through.

Visitors may decide to stay and watch the climbers and activity within the treetops, make use of the barbecue facilities which are available within the park, or one of the many bush trail and nature walks.

<sup>1</sup> open at 9.00am for school groups or corporate groups by prior arrangement

## 4.4 The Operator

Ecoline Pty Ltd, the operators of TreeTop Adventure Park, are the proponent of this amendment. Ecoline are the endorsed preferred proponent in an Expression of Interest process conducted by Parks Victoria in 2009 to investigate the establishment of a Tree-based Adventure Facility in the Yarra Flats Park. They have designed, constructed and managed similar venues with locations including:





-  TreeTops Central Coast, Ourimbah State Forest, Central Coast NSW - NSW Forestry Corporation (FCNSW)
-  TreeTops Newcastle, Blue Gum Hills Regional Park, Minmi NSW (NSW National Parks and Wildlife Service)
-  TreeTops Western Sydney, Western Sydney Parklands, NSW (Western Sydney Parklands Trust)
-  TreeTops Sydney -The Hills Cumberland State Forest, Sydney, NSW (FCNSW)
-  Wild Ropes, Taronga Zoo, Sydney, NSW (Taronga Conservation Society)

Ecoline is a highly experienced and skilled operation that offers world-first technology in safety, environment and experience. They use the best of European and Australian Technology. Ecoline and TreeTops are multi award winners with an established brand.

TreeTops has successfully increased tourism in regional and urban areas in NSW and has won several NSW Tourism Awards and Silver at the Australian Tourism Awards. TreeTops has also been awarded Advanced Eco Certification by Ecotourism Australia.

Safety is their number one priority and crucial in their business. Ecoline regularly updates and improves their safety systems and introduce the latest technology in all their sites.

The Company ethos is:

-  to develop exciting projects,
-  to protect and enhance the natural environment,
-  to participate in the community's wellbeing, and
-  to foster educational experiences of the natural environment.

Ecoline designs, constructs and operates the TreeTop experiences which currently include; TreeTop Adventure Park (high ropes courses), TreeTop Crazy Rider (rollercoaster zip line), TreeTop Vertical Challenge (climbing challenges), the Tree Hut (suspended venue) and TreeTop Safari (canopy tour). The first TreeTop Adventure Park was built in NSW, at Wyong Creek on the NSW Central Coast in 2008. Ecoline works in partnership with various government agencies and successfully operates on government land.

Ecoline is committed to fulfilling their customers' needs with quality and consistency. In alignment with this Ecoline have developed a quality management system with a strong customer focus, clear objectives, guiding processes and a commitment to improvement. Ecoline's quality management system is compliant with the AS/NZS ISO 9001:2016 and are proud to display the logo of certification.







Figure 14: TreeTop Adventure Facility in NSW

## 5 Planning Context

### 5.2 Zoning

The purpose of the Public Conservation and Resource Zone (PCRZ) is:

-  To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
-  To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.
-  To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.
-  To provide for appropriate resource based uses.

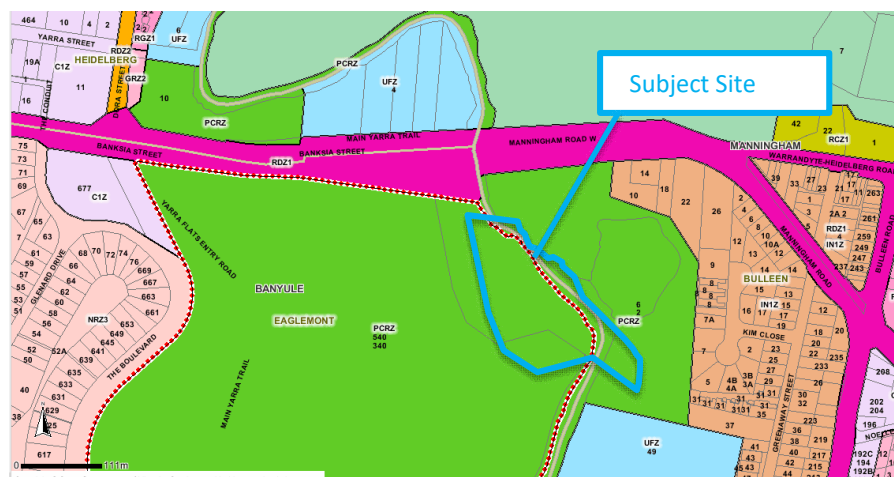


Figure 15: Zoning plan of site and wider surrounds

The TreeTop adventure park facility is most accurately described as an “Outdoor Recreational Facility”, which is nested within the wider “Leisure and Recreation” land use category in the Banyule Planning Scheme.

The use in Section 1 described as ‘Any other use not in Section 2 or 3’ – if the Section 1 condition is not met.

The condition of Section 1 reads:

*Must be either of the following:*

- *A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, or the Crown Land (Reserves) Act 1978.*
- *A use specified in an Incorporated plan in a schedule to this zone.*

As the use does not meet the above condition of Section 1, it is currently prohibited.

### Discussion

The concept of a tree-based high ropes adventure course at Yarra Flats was an initiative of Parks Victoria who have consulted the community in the preparation of the Yarra Flats Concept Plan as further detailed within Section 5.7 of this report.

It is the above set of circumstances that give rise to the need for an amendment to the planning scheme.

As the use is not being conducted on behalf of Parks Victoria as the land manager, it will be a commercial operation under the arrangement, the use is prohibited within the Public Conservation and Resource Zone. Conducting the operation itself is not a resolution options for Parks Victoria as such activity is not a core business of the agency and it does not have the budget allocation or the expertise to deliver a facility as proposed by the concept plan.

After lengthy consultation between Perry Town Planning and Banyule planning staff, with input from the Department of Employment, Land, Water and Planning, it has been determined that the proposed course of action is to seek to include the land and the proposed Outdoor recreation facility as a Site Specific Exemption within the Planning Scheme.

## 5.3 Overlays

### 5.3.1 Specific Controls Overlay

In July 2018, Amendment VC148 introduced changes to all Victorian Planning Schemes aimed at simplifying their structure. It changed the nomenclature of the clauses in the Banyule Planning Scheme and introduced the new clause 45.12 Specific Controls Overlay which enables land affected by this overlay may be used or developed in accordance with a specific control contained in an incorporated document. After lengthy consultation between Perry Town Planning and the City of Banyule planning staff, with input from the Department of Employment, Land, Water and Planning, it has been determined that the most appropriate course of action is to amend the planning scheme to apply the Special Controls Overlay to the subject site to facilitate the establishment of the Tree Top

Adventure Park. The amendment is to reference an incorporated document that sets out conditions for the operation of the adventure park.




The proposal, both in its nature and the procedural requirements, is sufficiently out of the ordinary to amend the planning scheme to enable the introduction of the proposed facility. The proposed Tree Top Adventure Park (described as a tree course), was a component of the Yarra Flats Park Concept Plan, which was prepared by Parks Victoria in conjunction with Banyule City Council and Melbourne Water, and was formally approved by the Victorian Environment Minister in 2013.

Ecoline Pty Ltd, the operators of TreeTops in five New South Wales locations, was the preferred proponent chosen to establish and operate the facility following an expression of interest conducted by Parks Victoria. However, as the use is not being conducted on behalf of Park Victoria as the land manager – as it will be a commercial operation under the arrangement – the use is prohibited in the Public Conservation and Resource Zone. Conducting the operation itself is not a resolution option for Parks Victoria as such activity is not a core business of the agency and it does not have the budget allocation or the expertise to deliver a facility as proposed by the concept plan.

The purpose of the concept plan developed in accordance with Parks Victoria's *Healthy Parks, Healthy People* philosophy, is to encourage people to utilise the park more. In this sense, the use is consistent with the purposes of the PCRZ, in particular: *"To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes"*.

The low impact nature of the proposal means that if it were to cease and equipment removed, there would be little evidence of its prior existence. In this sense, the proposed mechanism is appropriate as it will confine the permission to the particular use of the exemption conducted in accordance with the Incorporate Plan. This would allow the use to be established and conducted consistent with the purposes of the PCRZ, which is the appropriate zoning for the land.

In summary the extraordinary circumstances of the proposal are as follows:

-  The proposed Outdoor recreation facility use is consistent with the purposes of the Public Conservation and Resource Zone (PCRZ) in providing an appropriate use of public open space in enhancing the public education and interpretation of the natural environment. The proposed tree-based adventure product has low visibility, will have minimal impact on the trees, will rarely touch the ground, and will offer students and other visitors an enhanced aerial and low impact appreciation of the Yarra Flats ecosystem.
-  The proposed facility would offer these enhanced education and interpretive opportunities yet not deny existing visitors their existing ability to walk the tracks in the proposed lease area.
-  The proposed land use is in line with the policy aims of Parks Victoria as the land manager as:
  - The proposal is consistent with the Yarra Flats Park Concept Plan, prepared by Parks Victoria and endorsed by Banyule City Council and Melbourne Water following community consultation;
  - Parks Victoria solicited interest in a Tree Based Adventure activity at this location via an Expression of Interest process so to secure an appropriately experienced operator;
  - The proposed recreation facility and activity are consistent with the legislative purpose of the land reservation, which is reserved under section 4(1) of the *Crown Land (Reserves) Act 1978* for the purposes of Conservation, recreation, leisure and tourism; and,
  - The proposal is an exemplar of Parks Victoria's *Healthy Parks, Healthy People* philosophy – low impact, inclusive across a range of age groups and abilities, and enhances education and understanding of the park.

It is understood that the above was the subject of a previous briefing and Council staff are satisfied that the proposed use, both in its nature and procedural requirements, is sufficiently out of the ordinary to justify the amendment. The purpose of this report is to detail the proposed use in more depth.

The land does not warrant rezoning. For the most part the purposes of the Public Conservation and Resource Zone remain relevant, particularly as the proposal seeks to have the least amount of impact upon the natural environment.

There are exceptional and extraordinary circumstances that demonstrate that despite being highly consistent with planning policy that encourages eco-based tourism experiences within the Banyule hinterland (including Clause 12.05-01 'River corridors'; Clause 15.01-6 'Healthy Neighbourhoods'; Clause 17.03-01 'Facilitating Tourism'; Clause 21.04-4 'Community Facilities'; Clause 22.03 Safer Design Policy) the current zoning of the land prohibits the use.

These circumstances highlight that the proposed use on this site would be a strong and positive outcome for the City of Banyule and that specific controls designed to achieve the particular land use and development proposed would be of merit to the community.

Accordingly this report and proposal concurrently advance an amendment to the Banyule Planning Scheme to secure the desired outcome.

The detailed proposal for the ropes adventure course has been informed by and designed with the input of a range of specialist consultants.

### 5.3.2 Schedule 1 to the Environmental Significance Overlay

Schedule 1 to the Environmental Significance Overlay (ESO1) 'Yarra River, Plenty River and Darebin Creek' affects the site.

The statement of environmental significance details the significant natural habitat and environmental qualities of these areas, which includes sites of state and regional faunal significance and habitat significance. The protection of the native vegetation and wetlands and the maintenance and enhancement of these habitats and indigenous fauna are of vital importance.

Relevant objectives to achieve this include:

- *To protect areas along watercourses from development and loss of vegetation that may damage the streamside environment as a visual, conservation, ecological and recreation resource.*
- *To enhance and encourage the conservation and maintenance of the streamside environment as a conservation, ecological and recreation resource.*
- *To address the threatening processes associated with widespread habitat loss and degradation that has occurred in North East Melbourne.*
- *To conserve water quality and watercourse capacity to enable appropriate beneficial land use and water-based activities to be undertaken.*
- *To encourage the retention and enhancement of a continuous corridor of indigenous vegetation along river and creek banks in order to provide corridors and habitat for the movement of wildlife.*
- *To protect the watercourse and adjoining parkland and its flora and fauna from the effects of polluted waters conveyed by the stormwater system or other means.*
- *To protect and enhance sites with archaeological or scientific significance.*
- *To encourage development consistent with any approved concept plan for the area.*
- *To ensure that development and management of land is compatible with the natural environmental character and landscaped qualities of the watercourse and its surrounds.*

A Biodiversity Impact and Offset Requirements Report (BIOR) and a Flora and Fauna Assessment have been prepared by Practical Ecology Pty Ltd dated 2018 to accompany and support the proposal.

Pursuant to the ESO1, a permit is required to remove, destroy or lop vegetation.

### 5.3.3 Schedule 4 to the Environmental Significance Overlay

Schedule 4 to the Environmental Significance Overlay (ESO4) 'Significant trees and areas of vegetation' affects the site.

The statement of significance states that many individual trees, groups of trees and areas of vegetation within Banyule have special significance. This includes a variety of native and exotic trees and other vegetation, which are of landscape, habitat, horticultural or genetic value, are rare or of localised distribution, are outstanding examples of their species or are of cultural or historical significance. All are included on the Banyule City Council Significant Trees Register with some included on the National Trust of Australia's Register of Significant Trees of Victoria.

The environmental objective to be achieved by ESO4 is 'to protect and enhance trees and areas of vegetation that are significant'.

Pursuant to the ESO4, a permit is required to remove, destroy or lop vegetation.

### 5.3.4 Schedule 134 to the Heritage Overlay

Schedule 134 to the Heritage Overlay (HO134) 'Yarra Flats' affects the site and wider park.

The schedule specifies that tree controls apply and is an aboriginal heritage place.

### 5.3.5 Land Subject to Inundation Overlay

Pursuant to the LSIO, building or the construction or carrying out of works requires a permit unless in accordance with a management plan prepared to the satisfaction of the Responsible Authority and the relevant floodplain management authority.

Such an application would need to be referred to the floodplain management authority unless accompanied by their written approval or is in accordance with an adopted floodplain development plan.

### 5.3.6 Schedule 1 to the Significant Landscape Overlay

Schedule 1 to the Significant Landscape Overlay 'Yarra (Birrarung) River Corridor Environs' concerns the site.

The statement of nature and key elements of landscape identifies the metropolitan significance of the Yarra River as an environmental, aesthetic, cultural, recreation and tourism asset. The Yarra River corridor contains some of the most valued flora, fauna, geological and geomorphological assets in metropolitan Melbourne.

The following relevant landscape character objectives are to be achieved:

#### **Landscape, environmental and cultural values**

- To protect and enhance the natural landscape character of the Yarra River corridor where the river, its topography, adjacent public open space and a

continuous corridor of vegetation and canopy trees are the dominant features.

- To protect, rehabilitate and expand a continuous corridor of riparian and indigenous vegetation using appropriate indigenous species.
- To protect and enhance both terrestrial and aquatic habitat to allow the movement of wildlife within the Yarra River corridor.
- To protect and conserve areas of known indigenous and non-indigenous cultural or archaeological significance.
- To retain exotic vegetation of heritage or neighbourhood character where it contributes to landscape significance.

#### **Protection of waterway and the riparian zone**

- To ensure buildings and works are set back from the banks of the river to protect existing riparian vegetation, habitat and not impede its natural flood and watercourse characteristics.
- To maintain and protect the river's natural geomorphology, banks stability and reduce the risk of erosion.
- To reduce the rate or quantity of stormwater, sediment or other pollutants directly entering watercourses or wetlands. Public open space and access
- To maintain and protect linear public open space and provide for secluded areas of public open space with appropriate public access to the river and its public open space.
- To encourage the co-location or clustering of buildings, jetties and mooring facilities on public land.
- To encourage bicycle and shared paths that are well located, avoid unnecessary earthworks and vegetation removal and have good visibility to help increase safety for users.

#### **Siting and design of built form**

- To avoid light spill and overshadowing from buildings and works on the banks and water of the Yarra River, adjacent public open space and along bicycle and shared paths.
- To minimise the visual intrusion of buildings and works when viewed from the Yarra River and adjacent public open space, bicycle and shared paths and bridge crossings.
- To ensure buildings are sited and designed to reduce visual contrast with the natural landscape character setting of the Yarra River corridor.
- To ensure all buildings are subordinate to the existing vegetation with all views of buildings filtered through vegetation.
- To ensure all fencing within close proximity to the Yarra River is low in scale, visually permeable and does not create contrast with its natural landscape character.

Pursuant to the SLO1, a permit is required to remove, destroy or lop vegetation.

## **5.4 State Planning Policy Framework (SPPF)**

### **5.4.1 Clause 12.04 – Significant Environments and Landscapes**

Objective of Clause 12.04-2 'Landscapes' is 'to protect landscapes and significant open spaces that contribute to character, identity and sustainable environments'. The relevant strategy is to 'improve the landscape qualities, open space linkages and environmental performance in green wedges and conservation areas and non-urban areas'.

### Discussion

As part of the proposal, a number of key recommendations listed within the Flora and Fauna Assessment prepared by Practical Ecology will be implemented to mitigate or ameliorate potential impacts on the ecological values in the study area. These include a Construction Environment Management Plan prior to any works commencing on the project, appropriate sediment and run-off controls incorporated, a Weed Management Plan should be developed to control weeds (particularly noxious species), targeting areas within the modified construction zone, and the use of indigenous plants associated with the relevant EVCs as part of any landscaping works to increase habitat for native fauna.

The proposal therefore satisfies Clause 12.04-2 in the protection of landscapes and significant open spaces by improving the landscape qualities, open space linkages and environmental performance in conservation areas and non-urban areas

#### 5.4.2 Clause 12.05 – Rivers

The objective of Clause 12.05-01 'River corridors' is 'to protect and enhance the significant river corridors of metropolitan Melbourne'. Its relevant strategy is to:

- Ensure new development is sensitively designed and sited to maintain and enhance environmental assets, significant views and the landscapes along all river corridors.

Clause 12.05-2 'Yarra River' provides further protection to maintain and enhance the natural landscape character of the Yarra River corridor with the strategy to retain and enhance people's enjoyment of the river and its environment specifically including 'planning for the river and its environs as a recreation and tourism resource'.

### Discussion

Similar to the above, the key recommendations listed within the Flora and Fauna Assessment prepared by Practical Ecology will be implemented to mitigate or ameliorate potential impacts on the ecological values in the study area. And will assist in ensuring that new development is sensitively designed and sited to maintain and enhance environmental assets. The Treetop Adventure Park will serve to further protect and maintain the natural landscape character of the Yarra River corridor while enhancing the public enjoyment of the river and its environs as a recreation and tourism resource.

#### 5.4.3 Clause 15.01 Urban Environment

Clause 15.01-6 'Healthy Neighbourhoods' aims 'to achieve neighbourhoods that foster healthy and active living and community wellbeing'. It lists the relevant strategy to achieve neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity by providing 'conveniently located public spaces for active recreation and leisure'.

### Discussion

The Treetop Adventure Park will assist in fostering community interaction and active living by providing a venue and activities that allow for people of all ages and abilities to participate in regular physical activity.

#### 5.4.4 Clause 17.03 - Tourism

The objective of Clause 17.03-01 'Facilitating Tourism' is 'to encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination'.

The strategies to achieve this include to:

- *'Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, motel accommodation and smaller scale operations such as host farm, bed and breakfast and retail opportunities'.*
- *'Seek to ensure that tourism facilities have access to suitable transport and be compatible with and build upon the assets and qualities of surrounding urban or rural activities and cultural and natural attractions'.*

Policies which must be referred to in the consideration of applications for tourist development include:

- Tourism Investment Guidelines – Your Guide to Tourism Investments in Victoria (Tourism Victoria, 2008).
- Any relevant regional tourism development strategy.

The objective of Clause 17.03-2 'Tourism in Metropolitan Melbourne' is 'to maintain and develop Metropolitan Melbourne as a desirable tourist destination'. Strategies to achieve this relevantly include:

- Improving public facilities, amenities and access.
- Providing information and leisure services.
- Ensuring efficient resource use.

#### Discussion

The proposal is a significant tourism development which builds upon the assets and qualities of the unique landscape to mitigate or ameliorate potential impacts on the ecological values in the study area, improve public facilities, amenities and access to the park.

The proposal has made due considerations into the key recommendations of the Tourism Investment Guidelines in relation to locational attributes, identification of competition and alliances, and market assessment risks. TreeTops has successfully increased tourism in regional and urban areas in NSW and has won several NSW Tourism Awards and Silver at the Australian Tourism Awards. TreeTops has also been awarded Advanced Eco Certification by Ecotourism Australia.

The City of Banyule's Economic Development Plan 2015-2020 establishes Banyule's economic development agenda for the next five years, setting a vision and strategic objectives and is accompanied by a two-year action plan. It has been considered in Strategic Objective 3 of the Plan, which seeks to develop Banyule's product offering and tourism potential, as well as promote Banyule's advantages as an investment location.

## 5.5 Local Planning Policy Framework (LPPF)

### 5.5.1 Clause 21.04-4 Community Facilities

Objective 3 'Recreational, cultural and leisure facilities' is 'to provide recreational, cultural and leisure facilities and activities, that meets the community's needs and expectations, without causing detriment to the natural environment'.

Strategies to achieve this objective include:

- Enhance the use and safety of walking and bike paths.
- Protect and enhance public open spaces and their attributes.
- Increase specific leisure opportunities for older people, women, people with disabilities and youth.
- Discouraging inappropriate uses and development on land adjacent to open space.
- Encourage a linked system of high-quality, accessible public open spaces to maximise leisure and recreational opportunities.
- Encourage environmentally sensitive tourism which delivers economic benefits to the community and maximises the natural advantages of the Yarra Valley and Banyule's heritage.
- Encourage a range of tourism infrastructure and facilities to encourage tourism activity and optimise access to tourist facilities.
- Identify and plan for local social and community infrastructure needs

### Discussion

Objective 3 is particularly relevant as it lists a number of strategies which the proposed Treetop Adventure Park addresses. It enhances the use and safety of both walking and bike paths with the increase in the accessibility of public open space within the Yarra Flats Park which is adjacent to a bike trail, and also increases the range of leisure opportunities for people of all ages, particularly children and the youth. The proposal is a unique one which will deliver environmentally sensitive tourism opportunities with direct economic benefit to the community.

### 5.5.2 Clause 22.01 Outdoor Advertising Policy

It is policy to ensure the enhancement of the physical character and visual appearance of the City of Banyule by appropriate planning in relation to the appearance, size, illumination and related aspects of advertising signs.

The following objectives are applicable to the proposal:

- Signs should enhance the physical character of the City of Banyule.
- Signs should be adequate and effective, given the legitimate need for business promotion.
- Visual clutter should be minimised and rationalise existing and proposed signs.
- The appearance, size, illumination and other aspects of signs should complement the developments on which they are displayed and the character of the surrounding locality.
- Signs should identify the business, not the individual products which are sold.
- Signs should not adversely affect the advertising capability of adjacent premises.
- Signs should not interrupt or detract from views of major natural and built environment features.
- Signs should not significantly impact on the character or amenity of residential areas.
- Signs should not be located where they are hazardous to motorists and pedestrians.
- Operators of all sites should improve the effectiveness of advertising on their site.

### 5.5.3 Clause 22.03 Safer Design Policy

Clause 22.03 applies to all land within the City of Banyule excluding land within the Activity Centre Zone.

The policy is focussed on Banyule City Council's commitment to foster the community spirit, social health and wellbeing of its residents and visitors by promoting a safe, pleasant and attractive municipality with a strong sense of identity.

Crime and the fear of crime can be reduced by the proper design and use of the built environment, including an emphasis on:

- Informal Surveillance – providing opportunities for observation of people and their surrounds by others;
- Territorial Reinforcement – encouraging and conveying a sense of ownership and demonstrating that property is cared for to ensure that people feel comfortable in and visit public spaces; and
- Access Control – using physical and symbolic barriers to influence the movement of people and define appropriate spaces for public access.

Policy objectives relevant to the proposal include:

- To minimise opportunities for crime, through well designed and well maintained buildings and spaces.
- To improve community safety and quality of life.
- To enhance community perceptions of safety and reduce fear.
- To increase use of public spaces and improve accessibility to public premises.

Clause 22.03-03 states that it is policy to:

- Improve public perceptions of safety and reduce the risk of crime through the design of the built environment.
- Encourage design which incorporates informal surveillance and allows for good visibility into and within spaces.
- Ensure that urban spaces promote personal safety and security of property by controlling public access and clearly defining ownership, boundaries and legitimate use of private, public and community spaces
- Promote design that creates safe public places and streets by encouraging pedestrian use and demonstrating ownership of urban spaces and property.
- Encourage a mix of uses that:
  - facilitate informal surveillance;
  - generate activity, particularly at ground level;
  - support legitimate use of public spaces and isolated areas; and
  - are compatible with neighbouring land uses.
- Ensure that uses which have the potential to generate crime and fear of crime (vulnerable uses) are:
  - sited in highly visible locations with maximum opportunities for informal surveillance; and
  - co-located with compatible uses which may enhance personal safety

#### Discussion

The Yarra Flats Park covers an expansive area of 85 hectares. In recent times parts of the park have been affected by anti-social behaviour involving the gathering of male activity generally confined to the car park outside of the subject site area. This has resulted in the closure of the public toilets and parts of the park including the area affected by the site, and under-utilisation of the park with the local community avoiding interaction with the Yarra Flats, even as a thoroughfare.

The need to promote a safe and pleasant environment requires an improvement in the community's perception of public and personal safety, greater control of public access, while simultaneously increasing the accessibility for the community and encouraging visitation, alongside the reinforcement of Parks Victoria's presence as custodians of the crown land.





By establishing the outdoor adventure park within the Yarra Flats Park, there will be a range of improvements which the operators will introduce to demonstrate that the park is cared for. This includes removal of noxious weeds currently infesting the site, thereby improving the health of local native vegetation and the environment including the riverbank, pruning of trees and undergrowth. In addition, the introduction of the adventure park will attract new visitors including families, adventurers, school and corporate groups into the park, improving the opportunities for casual surveillance with the increase in both foot and vehicular traffic. There will be a constant informal presence within the park with the manned administration office, reminders of the new use with the introduction of colourful wayfinding signage along the Yarra Flats Entry Road and entrance to the Yarra Flats Park from the Boulevard which is likely to deter would-be offenders and public nuisances, hopefully even before entry to the park.

The use will therefore facilitate for informal surveillance, generate activity particular at ground level, support the legitimate use of public spaces and the isolated area of the park, while maintaining compatible with neighbouring land uses. It should be noted that Ecoline's site in Ourimbah State Forest, NSW was used as a dumping ground prior to the introduction of TreeTops Central Coast Adventure Park, where Ecoline removed several tons of rubbish including a car wreck as part of the site clean-up. This site which once had zero visitation has attracted more than 250,000 visitors since opening. Furthermore, it will be immeasurable in ensuring that people feel comfortable in and visit the public space of the Yarra Flats Park.

## 5.6 Particular Provisions

### 5.6.1 Clause 52.05 Advertising Signs




The purpose of this policy is:

-  To regulate the display of signs and associated structures.
-  To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
-  To ensure signs do not contribute to excessive visual clutter or visual disorder.
-  To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

#### 5.6.1.1 Current Controls

The subject site is currently located within the Schedule 1 to the Public Conservation and Resource Zone (PCRZ) which stipulates that advertising controls for this site are within Category 4 of Clause 52.05.

Category 4 of Clause 52.05 is titled 'Sensitive Areas' which has a maximum limitation for advertising signage. Within this category the only permissible signs are:

-  Bed and breakfast sign;
-  Home occupation sign;
-  Direction sign;

- Business Identification Sign (for which total advertising area to each premises must not exceed 3sqm); and
- Floodlit Sign.

All other signs are **prohibited** within this category.

#### 52.05-10 Category 4 - Sensitive areas

15/09/2008  
VC49

Maximum limitation

##### Purpose

To provide for unobtrusive signs in areas requiring strong amenity control.

##### Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	Only one to each premises.
Home occupation sign	The advertisement area must not exceed 0.2 sq m.
Direction sign	

##### Section 2 - Permit required

Sign	Condition
Business identification sign	The total advertisement area to each premises must not exceed 3 sq m.
Floodlit sign	

##### Section 3 - Prohibited

Sign	Condition
Any sign not in Sections 1 or 2	

Figure 16: Excerpt from Clause 52.05-10

### Discussion

The proposed signage is a fundamental requirement for the proposed ropes course as it allows for the proper wayfinding within the park and internal courses itself. The proposed signage is also necessary as it identifies the areas within the park in which patrons can freely move without causing detrimental impact to existing vegetation. Further to this, the signage also includes safety information and instructions for patrons regarding equipment use, use of the ropes course and how to safely traverse the site without causing harm to others and themselves. Interpretive signage will be placed in appropriate locations around the site office and tracks under the courses to provide visitors with information regarding the local flora and fauna as well as cultural history of the site.

#### 5.6.1.2 Proposed Controls




The Incorporated Document 'Tree Top Adventure Facility, 340-680 The Boulevard, Ivanhoe East, May 2018' in the Schedule to Clause 45.12 of the Banyule Planning Scheme is also listed in clause 72.04 of the Scheme.

This Incorporated Document and Clause 45.12 has the effect of allowing for matters as identified in the Incorporated Document to be undertaken in association with the Tree Top Adventure Facility (Outdoor recreation facility) on the affected land in a manner that

An Advertising Sign Master Plan may be approved by the Responsible Authority under the Incorporated Document for the display of advertising signs.

Provision is made for approval for advertising signs which are in accordance the Advertising Sign Master Plan approved by the Responsible Authority or if signage is not visible from outside the subject land.

Any proposal to approve the Advertising Sign Master Plan under this provision must demonstrate to the Responsible Authority compliance with the following objectives:

-  To ensure that signs do not create visual clutter and are not intrusive;
-  To allow for identification of the outdoor recreational facility, business information, information about the park including flora and fauna species, courses and activities offered, general safety information on use of facilities, and to allow for safe navigation and direction when both entering the park and within the facility;
-  To ensure that minimal advertising signage (aside from Business Identification Signage) is to be visible from outside the site.

The master plan must describe the type and size of signs, the preferred location for signs, proposed lighting and any other relevant matter to the satisfaction of the Responsible Authority.

The layout as shown within the advertising sign master plan must not be altered without the prior written consent of the Responsible Authority.

#### 5.6.2 Clause 52.06 Car Parking

The subject site is serviced by a number of public car parking areas, located on and accessed from the internal access road as shown in Figure 16 below.

A total of 127 car spaces are currently provided on-site, although the 41 easternmost parking spaces are currently closed for public car access (denoted by the orange marker below).

Parking surveys have been undertaken on-site which identify no fewer than 67 and 74 vacant spaces on a Saturday and Sunday respectively within the existing parking areas open to the public.

The supply of parking will be more than sufficient to accommodate demands generated by the use, estimated at a peak of 37 spaces, with in the order of 30-37 spaces expected to remain available for other visitors to the park.

The 41 spaces currently closed for public use will be refurbished by Ecoline and will be the primary parking available for the TreeTops visitors and team members. An overflow demand for parking will utilise the larger carpark of 61 spaces.

Please refer to the Transport Impact Assessment prepared by Onemilegrid and submitted with the application for further information.



Figure 17: Car parking available within site

### 5.6.3 Clause 52.17 Native Vegetation

The purpose of the clause (amongst others) is to minimise impacts on Victoria's biodiversity from the removal of native vegetation and to manage native vegetation to minimise land and water degradation.

A permit is required to remove, destroy or lop native vegetation on sites greater than 0.4 hectares. (exemptions apply).

Application requirements and decision guidelines are listed within the relevant Clause. Applications may fall into a low, moderate or high risk pathway depending on the location and extent of vegetation removed. The application requirements and decisions depend on the relevant risk pathway. Referral to DELWP may be required for an application to remove native vegetation; e.g. if clearing is greater than 0.5 ha or the application follows the high-risk pathway.

The Flora and Fauna Assessment prepared by Practical Ecology Pty Ltd, and in particular, the No Net Loss Analysis, responds to this Clause.

### 5.6.4 Clause 52.34 Bicycle Parking

The bicycle parking requirements for the proposed development are identified in Clause 52.34 of the Banyule Planning Scheme. The Planning Scheme does not specifically refer to parking requirements for Outdoor Recreation Facility uses, therefore, no bicycle parking is required.

Notwithstanding the above, noting the location of the site in proximity to numerous bicycle routes, and with the intention of supporting sustainable transport modes, One Mile Grid within the Transport Impact Assessment have recommended that some bicycle parking (in the order of 5 spaces) be provided for the use in the refurbishment of the closed parking area.

Regardless of any formal bicycle parking provisions, there are considerable opportunities for bicycle parking in the surrounding area to accommodate any bicycle parking demand generated.

## 5.7 Reference Documents

### 5.6.5 Revised Yarra Flats Park Concept Plan 2013





The proposed tree-based facility was a component of the Revised Yarra Flats Park Concept Plan which set out a series of innovations to maintain the park and encourage greater public use and enjoyment of the resource. Parks Victoria remains supportive of the proposal and this amendment process to achieve it.

Parks Victoria undertook community consultation in 2012 to test community support for proposals for the park which include: revegetation and new walking paths; an Impressionist Lab Art Gallery and Education Centre proposed by Banyule City Council; a tree-based adventure course proposed by Parks Victoria and Ecoline; and a stormwater wetland proposed by Melbourne Water.

Formal community consultation on the draft plan ran from Friday 26 April to Thursday 31 May 2012. A Community Information Day was held at the park on Sunday 29 April from 10am to 2 pm, which approximately 110 people attended. The total number of surveys returned was 217, of which 168 were on-line responses and 49 were paper surveys. Letters or emails providing further comment were received from 10 individuals and organisations. A summary of the survey results is available on the Parks Victoria website <[www.parks.vic.gov.au](http://www.parks.vic.gov.au)> under Plans Underway, Yarra Flats Park.

Parks Victoria considers that the three proposals are all consistent with its Healthy Parks Healthy People philosophy, which aims to encourage more people to enjoy the park more often.

The survey indicated:

-  **Revegetation** - Almost 90% of respondents were in support of a long-term program to revegetate the river bank and billabong areas to strengthen the habitat corridor.
-  **Wetland** - Around 79% agreed/strongly agreed the wetland would be of community benefit and 64% said it would increase their use of the park.
-  **Impressionist Lab** - Around 61% of respondents agreed/strongly agreed that an Impressionist Lab Gallery would benefit the community and 45% say the presence of the gallery would increase their use of the parklands.
-  **Tree Course** - Around 50% of respondents agreed/strongly agreed that a tree based adventure course in the park would benefit the community and 35% say a tree course is likely/highly likely to increase their use of the park<sup>2</sup>.

The Concept Plan has been revised in April 2013 to take into account many of the important concerns expressed during the consultation.

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<sup>2</sup> Note that the majority of respondents were older than the average tree course user









Figure 18: Revised Yarra Flats Concept Plan 2013 prepared by Parks Victoria

### 5.6.6 Victorian Visitor Economy Strategy

Further to the State Government's *Victorian Visitor Economy Strategy 2016*, the term 'visitor economy' refers to the production of goods and services for consumption by visitors, which includes the industries that directly serve visitors, such as hotels, transport providers, tour companies and attractions, as well as intermediaries and those involved indirectly, such as retail and food production. This recognises that visitor activity does not occur in isolation and contributes to investment and jobs across a range of industry sectors.

This Strategy sets a goal of increasing visitor spending to \$36.5 billion by 2025 and identifies nine priorities to achieve this ambitious goal, including:

-  More private sector investment
-  Build on the potential of regional and rural Victoria
-  Improved branding and marketing
-  Maximising the benefits of events
-  Improved experiences for visitors from Asia
-  Better tourism infrastructure
-  Improved access into and around Victoria
-  Skilled and capable sector
-  More effective coordination.

The Strategy is complemented by the Government's related commitments to grow jobs and the economy, including Victoria's Regional Statement, and outlines our priorities in engaging with the Commonwealth in implementation of its Tourism 2020 Strategy.

It notes in Section 4 – 'Priorities' that significant private sector investment in visitor attractions and accommodation is required, particularly in regional Victoria, to deliver better visitor experiences. The Strategy states that:

*"Improved facilities at key visitor attractions, and new commercial developments, including innovative accommodation offerings, will help attract more visitors and get them staying longer. Governments have an important role in creating an environment for investment to occur. Some investment opportunities are not being realised because of some regulatory settings related to land use planning and public land. Investors often face Government processes that are difficult to navigate and more needs to be done to proactively facilitate appropriate development. Governments also play an important role in investing directly in key assets, and using this investment to encourage greater private sector investment (p.17)".*












In order to achieve this, the following implementation measures have been nominated:

-  In partnership with Regional Tourism Boards, identify and actively facilitate 10 iconic regional tourism products. A \$1.8 million package has been announced to help develop plans and business cases for these and other significant tourism product across the state.
-  Assign clear responsibility and leadership within Government for progressing new investment projects of state and regional significance.
-  Fast track approvals for visitor economy projects of state significance through the use of the Project Development and Construction Management Act 1994 where appropriate.
-  In partnership with Parks Victoria, land managers and other key stakeholders prioritise Government investment in infrastructure and amenities for key public tourist attractions.
-  Ensure a refreshed Plan Melbourne identifies new visitor economy opportunities across Greater Melbourne.

The importance of the TreeTops Adventure Park facility can be considered of state significance due to the substantial private sector investment into a visitor attraction within Victoria with a high potential for contributing significantly to the visitor economy and increasing and/or lengthening visitor trips to the state.

## 6 Conclusion

In summary, the Responsible Authority is requested to consider the following in support of the planning scheme amendment for the use and development of land within the Yarra Flats Park (more specifically Crown Allotment 2E within the Parish of Keelbundora, derived from Plan OP106126 or at 340 to 680 The Boulevard, Ivanhoe) for an outdoor tree top adventure park:

-  The proposed amendment for an outdoor adventure facility is strategically justified and consistent with state and local planning policies.
-  The proposal provides a nature based tourism use that is consistent with protecting the environment and providing for sustainable land management.
-  The proposal will have minimal environmental impact, utilising existing trees and design and siting of infrastructure to avoid native vegetation removal.
-  The proposal will integrate within its surrounds and is an appropriate land use and development outcome for the area.
-  A site specific exclusion under the planning scheme is considered appropriate, as there is no desire to change the underlying relatively restrictive zoning given the site's treed location within the Yarra Flats Park.
-  Car parking available within the Yarra Flats Park will be more than sufficient to accommodate demands generated by the use.
-  The advertising signage proposed is fundamental to the outdoor adventure park to allow for identification of the outdoor recreational facility and the park including flora and fauna species, courses and activities offered, general safety information on use of facilities, and to allow for safe navigation and direction.
-  The advertising signage proposed will not be visible from outside of the site, create visual clutter or become intrusive to any adjacent proximate sensitive land uses.
-  The proposal will improve the health of local native vegetation and the environment including the riverbank, pruning of trees and undergrowth, and the removal of noxious weeds currently infesting the site.
-  The introduction of the adventure park will attract crowds of new visitors into the park and facilitate for informal surveillance, generate activity particular at ground level, and support the legitimate use of public spaces.
-  The proposed Amendment will not set a precedent for other areas of the Yarra Flats Park, as other proposals which may arise will need to be considered on their own merits.

- ✚ The proposal will add a state significant private sector investment for Victoria and will have positive flow on effects for the visitor economy and net community benefit in terms of employment, visitation and income to the City of Banyule and the state of Victoria.

**\*\*\* Perry Town Planning \*\*\***