

**36.02**  
31/07/2018  
VC148

## PUBLIC PARK AND RECREATION ZONE

Shown on the planning scheme map as **PPRZ** .

### Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise areas for public recreation and open space.

To protect and conserve areas of significance where appropriate.

To provide for commercial uses where appropriate.

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### Table of uses

#### Section 1 - Permit not required

| Use                                   | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Automated collection point</b>     | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>The gross floor area of all buildings must not exceed 50 square metres.                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Informal outdoor recreation</b>    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Open sports ground</b>             | Must be conducted by or on behalf of the public land manager.<br>Must not be on coastal Crown land under the <i>Marine and Coastal Act 2018</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Any use listed in Clause 62.01</b> | Must meet the requirements of Clause 62.01.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Contractor's depot</b>             | Must be either of the following:<br>A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the <i>Local Government Act 2020</i> , the <i>Reference Areas Act 1978</i> , the <i>National Parks Act 1975</i> , the <i>Fisheries Act 1995</i> , the <i>Wildlife Act 1975</i> , the <i>Forest Act 1958</i> , the <i>Water Industry Act 1994</i> , the <i>Water Act 1989</i> , the <i>Marine Safety Act 2010</i> , the <i>Port Management Act 1995</i> , or the <i>Crown Land (Reserves) Act 1978</i> . |
| <b>Heliport</b>                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Office</b>                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Retail premises</b>                | A use specified in an Incorporated plan in a schedule to this zone.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Store</b>                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Any other use not in Section 3</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

#### Section 2 - Permit required

| Use                                                               | Condition                                    |
|-------------------------------------------------------------------|----------------------------------------------|
| <b>Contractor's depot - if the Section 1 condition is not met</b> | Must be associated with the public land use. |

| Use                                                            | Condition                                    |
|----------------------------------------------------------------|----------------------------------------------|
| <b>Heliport - if the Section 1 condition is not met</b>        | Must be associated with the public land use. |
| <b>Office - if the Section 1 condition is not met</b>          | Must be associated with the public land use. |
| <b>Retail premises - if the Section 1 condition is not met</b> | Must be associated with the public land use. |
| <b>Store - if the Section 1 condition is not met</b>           | Must be associated with the public land use. |

### Section 3 - Prohibited

| Use                                                      |
|----------------------------------------------------------|
| <b>Cinema based entertainment facility</b>               |
| <b>Corrective institution</b>                            |
| <b>Display home centre</b>                               |
| <b>Funeral parlour</b>                                   |
| <b>Industry (other than Automated collection point )</b> |
| <b>Saleyard</b>                                          |
| <b>Transport terminal (other than Heliport)</b>          |
| <b>Veterinary centre</b>                                 |
| <b>Warehouse (other than Store)</b>                      |

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### Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
  - Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.
  - Navigational beacons and aids.
  - Planting or landscaping.
  - Fencing that is 1 metre or less in height above ground level.
  - A building or works shown in an Incorporated plan which applies to the land.

- A building or works carried out by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the *Local Government Act 2020* , 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 Safety Act 2010* , the *Port Management Act 1995* or the *Crown Land (Reserves) Act 1978* .

- Subdivide land.

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#### Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

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#### Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

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#### Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

### 36.02-6

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#### Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

## VICTORIA PLANNING PROVISIONS

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

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### **Use and development of land identified in a schedule**

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

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### **Signs**

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.