

36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

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

Purpose

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.

36.03-1 Table of uses

Section 1 - Permit not required

USE	CONDITION
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 1997.
Boat launching facility Camping and caravan park Caretaker's house Car park Informal outdoor recreation Interpretation centre Jetty Kiosk Marine dredging	Must be any of the following: <ul style="list-style-type: none"> • Conducted by or on behalf of a public land manager 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 or the Forest Act 1958. • Conducted by or on behalf of Melbourne Parks and Waterways under 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. • Specified in an Incorporated plan in a schedule to this zone.
Mineral exploration	
Mineral, stone or soil extraction (other than Mineral exploration, Mining, and Search for stone)	Must be any of the following: <ul style="list-style-type: none"> • Conducted by or on behalf of a public land manager 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 or the Forest Act 1958. • Conducted by or on behalf of Melbourne Parks and Waterways under the Water Industry Act 1994, the Water Act 1989,

Section 1 - Permit not required (continued)

USE	CONDITION
	<ul style="list-style-type: none"> • the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978. <p>Specified in an Incorporated plan in a schedule to this zone.</p>
Mining	Must meet the requirements of Clause 52.08-2.
Minor utility installation Mooring pole	<p>Must be any of the following:</p> <ul style="list-style-type: none"> • Conducted by or on behalf of a public land manager 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 or the Forest Act 1958. • Conducted by or on behalf of Melbourne Parks and Waterways under 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. • Specified in an Incorporated plan in a schedule to this zone.
Natural systems	
Open sports ground Pier Pontoon Reservoir Road	<p>Must be any of the following:</p> <ul style="list-style-type: none"> • Conducted by or on behalf of a public land manager 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 or the Forest Act 1958. • Conducted by or on behalf of Melbourne Parks and Waterways under 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. • Specified in an Incorporated plan in a schedule to this zone.
Search for stone	Must not be costeaning or bulk sampling.
Telecommunications facility	Buildings and works must meet the requirements of Clause 52.19
Water retarding basin	<p>Must be any of the following:</p> <ul style="list-style-type: none"> • Conducted by or on behalf of a public land manager under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the

Section 1 - Permit not required (continued)

USE	CONDITION
	National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975 or the Forest Act 1958. <ul style="list-style-type: none">• Conducted by or on behalf of Melbourne Parks and Waterways under 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.• Specified in an Incorporated plan in a schedule to this zone.
Any other use not in Section 2 or 3	Must be either of the following: <ul style="list-style-type: none">• Conducted by or on behalf of a public land manager 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 or the Forest Act 1958.• Conducted by or on behalf of Melbourne Parks and Waterways under 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.

Section 2 - Permit required

USE	CONDITION
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Section 3 - Prohibited

USE
Any other use not in Section 2 or 3 – if the Section 1 condition is not met.

36.03-2 Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
 - Planting or landscaping.
 - 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 under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975 or the Forests Act 1958.
 - A building or works carried out by or on behalf of Melbourne Parks and Waterways under 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.
 - Navigational beacons and aids.
- Subdivide land.

36.03-3 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.

36.03-4 Exemption from notice and appeal

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 Sections 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

36.03-5 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 State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- 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.

36.03-6 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 proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and 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 or 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.

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.

36.03-7 Permit not required

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

36.03-8 Advertising signs

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

Note: Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.