

### 36.03

## PUBLIC CONSERVATION AND RESOURCE ZONE

16/01/2018  
VC142

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

19/09/2017  
VC132

#### Section 1 - Permit not required

Use	Condition
Boat launching facility	Must be either of the following: <ul style="list-style-type: none"><li>A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the <i>Local Government Act 1989</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>Forests Act 1958</i>, the <i>Water Industry Act 1994</i>, the <i>Water Act 1989</i>, the <i>Marine Act 1988</i>, the <i>Port of Melbourne Authority Act 1958</i> or the <i>Crown Land (Reserves) Act 1978</i>.</li><li>Specified in an Incorporated plan in a schedule to this zone.</li></ul>
Camping and caravan park	
Caretaker's house	
Car park	
Informal outdoor recreation	
Interpretation centre	
Jetty	
Kiosk	
Marine dredging	
Mooring pole	
Open sports ground	
Pier	
Pontoon	
Road	
Utility installation (other than Telecommunications facility)	
Any use listed in Clause 62.01	
Any other use not in Section 2 or 3	<ul style="list-style-type: none"><li>Must be a use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the <i>Local Government Act 1989</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>Forests Act 1958</i>, the <i>Water Industry Act 1994</i>, the <i>Water Act 1989</i>, the <i>Marine Act 1988</i>, the <i>Port of Melbourne Authority Act 1958</i> or the <i>Crown Land (Reserves) Act 1978</i>.</li></ul>

#### Section 2 - Permit required

Use	Condition
Emergency services facility	
Renewable energy facility (other than Wind energy facility)	Must not be located on land reserved under the <i>National Parks Act 1975</i> .

Use	Condition
	Must meet the requirements of Clause 52.42.
<b>Wind energy facility</b>	<p>Must not be located on land described in a schedule to the <i>National Parks Act 1975</i>. This does not apply where the Wind energy facility is principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.</p> <p>Must meet the requirements of Clause 52.32.</p>

### Section 3 - Prohibited

Use
The use in Section 1 described as 'Any other use not in Section 2 or 3' – if the Section 1 condition is not met

#### 36.03-2

16/01/2018  
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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:
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works specified in Clause 62.02-1 or 62.02-2 carried out by or on behalf of a public authority or municipal council, if the public authority or municipal council is carrying out functions, powers or duties conferred by or under the *Local Government Act 1989*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forests 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 building or works carried out by or on behalf of a public land manager or Parks Victoria under the *Local Government Act 1989*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forests Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Act 1988*, the *Port of Melbourne Authority Act 1958*, the *Crown Land (Reserves) Act 1978*, or the *Road Management Act 2004*.
- Subdivide land.

#### 36.03-3

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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.

Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the Department of Environment, Land, Water and Planning.

### **36.03-4 Exemption from notice and review**

19/01/2006  
VC37

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 Referral of applications**

18/06/2010  
VC62

An application to use or develop land for the purpose of an emergency services facility must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

### **36.03-6 Decision guidelines**

18/06/2010  
VC62

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.

### **36.03-7 Incorporated plan**

18/06/2010  
VC62

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.

### **36.03-8 Use and development of land identified in a schedule**

18/06/2010  
VC62

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.

### **36.03-9 Advertising signs**

18/06/2010  
VC62

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.*