

**66.02**

31/07/2018  
VC148

**USE AND DEVELOPMENT REFERRALS**

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

**66.02-1**

25/05/2017  
VC133

**Works approval or licence**

Kind of application	Referral authority	Type of referral authority
For a use or development requiring any of the following: <ul style="list-style-type: none"> <li>▪ Works approval in accordance with Section 19A of the <i>Environment Protection Act 1970</i>.</li> <li>▪ A licence to discharge or emit waste in accordance with Section 20 of the <i>Environment Protection Act 1970</i>.</li> <li>▪ Amendment of a licence under Section 20A of the <i>Environment Protection Act 1970</i>.</li> </ul>	Environment Protection Authority	Determining referral authority

**66.02-2**

12/12/2017  
VC138

**Native vegetation**

Kind of application	Referral authority	Type of referral authority
<ul style="list-style-type: none"> <li>▪ To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the <i>Guidelines for the removal, destruction or lopping of native vegetation</i> (Department of Environment, Land, Water and Planning, 2017).</li> <li>▪ To remove, destroy or lop native vegetation if a property vegetation plan applies to the site.</li> <li>▪ To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.</li> </ul>	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i> )	Recommending referral authority

**66.02-3**

25/05/2017  
VC133

**Cattle feedlot**

Kind of application	Referral authority	Type of referral authority
To use or develop land for a cattle feedlot.	Minister for Agriculture	Determining referral authority
	If the site is located within a special water supply catchment area under the <i>Catchment and Land Protection Act 1994</i> , the relevant water authority under the <i>Water Act 1989</i> and the Secretary to the Department administering the <i>Catchment and Land Protection Act 1994</i>	Determining referral authority
	If the number of cattle is 5000 or more, the Environment Protection Authority	Determining referral authority

**66.02-4**

25/05/2017  
VC133

**Major electricity line or easement**

Kind of application	Referral authority	Type of referral authority
To construct a building or construct or carry out works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.	The relevant electricity transmission authority	Determining referral authority

**66.02-5**

19/09/2017  
VC132

**Special water supply catchment area**

Kind of application	Referral authority	Type of referral authority
To use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works that are within a Special Water Supply Catchment Area listed in Schedule 5 of the <i>Catchment and Land Protection Act 1994</i> and which provides water to a domestic supply.  This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.	The relevant water board or water supply authority	Determining referral authority

**66.02-6**

25/05/2017  
VC133

**Timber production**

Kind of application	Referral authority	Type of referral authority
<ul style="list-style-type: none"> <li>▪ To use or develop land for timber production by establishing a plantation.</li> <li>▪ To use or develop land for timber production by harvesting timber from native forest, including thinning, if the area of native forest to be subjected to timber production operations is 10 hectares or greater.</li> </ul>	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i> )	Determining referral authority

**66.02-7**

26/05/2020  
VC175

**Industry, utility installation or warehouse**

Kind of application	Referral authority	Type of referral authority
<ul style="list-style-type: none"> <li>▪ To use land for an industry, utility installation or warehouse for a purpose listed in the table to Clause 53.10 with no threshold distance specified or if the threshold distance is not to be met.</li> </ul>	Environment Protection Authority	Determining referral authority
<ul style="list-style-type: none"> <li>▪ To use land for an industry, utility installation or warehouse if any of the following apply:                             <ul style="list-style-type: none"> <li>– A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.</li> </ul> </li> </ul>	The Victorian WorkCover Authority	Determining referral authority

## VICTORIA PLANNING PROVISIONS

Kind of application	Referral authority	Type of referral authority
<ul style="list-style-type: none"> <li>- A notification is required under the Occupational Health and Safety Regulations 2017.</li> <li>- A licence is required under the Dangerous Goods (Explosives) Regulations 2011.</li> <li>- A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.</li> </ul>		
<ul style="list-style-type: none"> <li>■ To construct a building or construct or carry out works on land used for an industry, utility installation or warehouse if the area of the buildings and works will increase by more than 25 per cent and any of the following apply:               <ul style="list-style-type: none"> <li>- A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.</li> <li>- A notification is required under the Occupational Health and Safety Regulations 2017.</li> <li>- A licence is required under the Dangerous Goods (Explosives) Regulations 2011.</li> <li>- A licence is required under the Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.</li> </ul> </li> </ul>	The Victorian WorkCover Authority	Determining referral authority

### 66.02-8

09/04/2020  
VC178

### Extractive industry

Kind of application	Referral authority	Type of referral authority
<ul style="list-style-type: none"> <li>■ To use or develop land for extractive industry.</li> </ul>	<p>Secretary to the Department administering the <i>Heritage Act 1995</i>.</p> <p>Secretary to the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i></p>	Determining referral authority
<ul style="list-style-type: none"> <li>■ To use or develop land for extractive industry on Crown land or land abutting Crown land, other than a government road.</li> </ul>	Secretary to the Department administering the <i>Land Act 1958, Crown Land (Reserves) Act 1978, National Parks Act 1975</i> and <i>Forests Act 1958</i> .	Determining referral authority
<ul style="list-style-type: none"> <li>■ To use or develop land for extractive industry:               <ul style="list-style-type: none"> <li>- In Special Areas declared under Section 27 of the <i>Catchment and Land Protection Act 1994</i>.</li> </ul> </li> </ul>	Secretary to the Department administering the <i>Catchment and Land Protection Act 1994</i>	Determining referral authority

## VICTORIA PLANNING PROVISIONS

Kind of application	Referral authority	Type of referral authority
<ul style="list-style-type: none"> <li>- On land where the use or development involves the removal or destruction of native vegetation if the total area to be cleared is 10 hectares or greater.</li> <li>- On land which has been identified in this scheme as being subject to high erosion risk or areas identified as being subject to salinity management.</li> </ul>		
<ul style="list-style-type: none"> <li>■ To use or develop land for extractive industry:               <ul style="list-style-type: none"> <li>- In areas with communities or taxa listed or critical habitat determined under the <i>Flora and Fauna Guarantee Act 1988</i>.</li> <li>- On land which has been identified in this scheme as containing sites of flora or fauna significance.</li> </ul> </li> </ul>	Secretary to the Department administering the <i>Flora and Fauna Guarantee Act 1988</i>	Determining referral authority
<ul style="list-style-type: none"> <li>■ To use or develop land for extractive industry on land which has been identified in this scheme as flood prone.</li> </ul>	Secretary to the Department administering Section 201 of the <i>Water Act 1989</i>	Determining referral authority
<ul style="list-style-type: none"> <li>■ To use or develop land for extractive industry if the land is intended to be used for land fill at a future date.</li> </ul>	Environment Protection Authority	Determining referral authority
<ul style="list-style-type: none"> <li>■ To use or develop land for extractive industry:               <ul style="list-style-type: none"> <li>- On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the <i>Road Management Act 2004</i> and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more.</li> <li>- On land which abuts a road declared as a freeway or an arterial road under the <i>Road Management Act 2004</i>. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Roads Corporation and the declared road is not a freeway.</li> </ul> </li> </ul>	Roads Corporation	Determining referral authority

**66.02-9**

25/05/2017  
VC133

**Geothermal energy extraction**

Kind of application	Referral authority	Type of referral authority
To use or develop land for geothermal energy extraction.	Secretary to the Department administering the <i>Geothermal Energy Resources Act 2005</i>	Determining referral authority

**66.02-10**

25/05/2017  
VC133

**Greenhouse gas sequestration**

Kind of application	Referral authority	Type of referral authority
To use or develop land for greenhouse gas sequestration.	Secretary to the Department administering the <i>Greenhouse Gas Geological Sequestration Act 2008</i>	Determining referral authority

**66.02-11**

16/01/2018  
VC142

**Integrated Public Transport Planning**

Kind of application	Referral authority	Type of referral authority
<p>An application to subdivide land, to construct a building or to construct or carry out works for any of the following:</p> <ul style="list-style-type: none"> <li>▪ A residential development comprising 60 or more dwellings or lots.</li> <li>▪ A residential building comprising 60 or more lodging rooms.</li> <li>▪ A residential village comprising 60 or more dwellings.</li> <li>▪ A retirement village comprising 60 or more dwellings or lots.</li> <li>▪ A new retail premises of 4000 or more square metres of leasable floor area.</li> <li>▪ An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area.</li> <li>▪ An office development of 10,000 or more square metres of leasable floor area.</li> <li>▪ A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area.</li> <li>▪ An education centre.</li> <li>▪ A major sports and recreation facility.</li> <li>▪ Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria.</li> </ul> <p>This does not apply to:</p> <ul style="list-style-type: none"> <li>▪ Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village.</li> <li>▪ A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.</li> </ul>	Head, Transport for Victoria	Determining referral authority

**66.02-12**

17/09/2019  
VC161

**Declared irrigation districts**

Kind of application	Referral authority	Type of referral authority
An application to use or develop land for a renewable energy facility located within an irrigation district declared under Part 6A of the <i>Water Act 1989</i> .	Secretary to the Department administering the <i>Water Act 1989</i> .	Recommending referral authority