

REFERRALS

Applications of the kind listed below must be referred to the person or body specified as a referral authority in accordance with Section 55 of the Act. This requirement is in addition to any other referral required in this scheme.

66.01 Subdivision

| KIND OF APPLICATION | REFERRAL AUTHORITY |
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| To subdivide land other than: <ul style="list-style-type: none"> • Boundary realignments. • Subdivisions of existing buildings already connected to services. • Two lot subdivisions. • Subdivisions for the creation of lots to correspond with existing flats and car parking spaces. | The relevant water, drainage or sewerage authority The relevant telecommunication authority The relevant electricity supply or distribution authority The relevant gas supply authority |
| To subdivide land outside the metropolitan fire district which creates a road. | Country Fire Authority |
| To subdivide land if the only access to a lot is over Crown land which has not been reserved or proclaimed as a road. | Minister administering the Land Act 1958 |
| To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement. | The relevant gas supply authority |
| To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement. | The relevant electricity transmission authority |

Note: Subdivisions which do not require referral under this clause must be referred if it is a requirement under any other clause in this scheme.

Conditions on subdivisions not requiring referral

Permits for subdivisions listed above as not requiring referral (other than for the creation of lots to correspond with existing flats and car parking spaces) must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Referrals under the Subdivision Act

For the purpose of Section 8 of the Subdivision Act 1988 referral of a plan is only required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant authority listed above.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority above.
- The only access to a lot on a plan is over Crown land and the Minister administering the Land Act 1958 has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.

66.02 Use and development

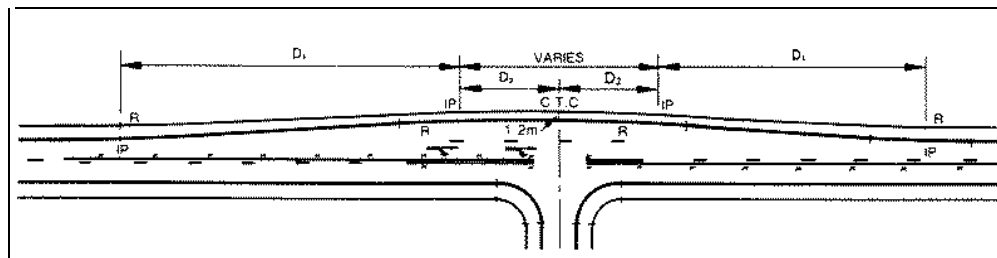
| KIND OF APPLICATION | REFERRAL AUTHORITY |
|---|---|
| <p>For a use or development requiring any of the following:</p> <ul style="list-style-type: none"> • Works approval in accordance with Section 19A of the Environment Protection Act 1970. • A licence to discharge or emit waste in accordance with Section 20 of the Environment Protection Act 1970. • Amendment of a licence under Section 20A of the Environment Protection Act 1970. | Environment Protection Authority |
| To use or develop land for mining. | Secretary to the Department administering the Mineral Resources Development Act 1990 |
| To remove or destroy native vegetation if the area to be cleared is 10 hectares or greater. | Secretary to the Department administering the Flora and Fauna Guarantee Act 1988 |
| To remove or destroy native vegetation if the area to be cleared combined with any area to be cleared under a concurrent or previous application on the same or contiguous land, which was in the same ownership on the 30 June 1989, and the combined area is 10 hectares or greater. | Secretary to the Department administering the Flora and Fauna Guarantee Act 1988 |
| To remove, destroy or lop native vegetation if a land management plan or works program is submitted. | Secretary to the Department administering the Flora and Fauna Guarantee Act 1988 |
| To use or develop land for a cattle feedlot. | Minister for Agriculture and Resources If the site is located within a special water supply catchment area under the Catchment and Land Protection Act 1994, the relevant water authority under the Water Act 1989 and the Secretary to the Department administering the Catchment |

| KIND OF APPLICATION | REFERRAL AUTHORITY |
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| | and Land Protection Act 1994 If the number of cattle is 5000 or more, the Environment Protection Authority |
| To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority. | Secretary to the Department administering the Flora and Fauna Guarantee Act 1988 |
| To remove, destroy or lop native vegetation on a road. | Secretary to the Department administering the Flora and Fauna Guarantee Act 1988 |
| 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 |
| To use or develop land that is within a Special Water Supply Catchment Area listed in Schedule 5 of the Catchment and Land Protection Act 1994 and which provides water to a domestic supply. | The relevant water board or water supply authority |
| This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling. | |
| To use or develop land for timber production by establishing a plantation. | The Secretary to the Department of Natural Resources and Environment |
| 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. | The Secretary to the Department of Natural Resources and Environment |
| To use land for an industry or warehouse for a purpose listed in the table to Clause 52.10 shown with a Note 1 or if the threshold distance is not to be met. | Environment Protection Authority |
| To use land for an industry or warehouse for a purpose listed in the table to Clause 52.10 shown with a Note 2 and if a licence is required under the Dangerous Goods (Storage and Handling) Regulations or the Dangerous Goods (Explosives) Regulations. | The Minister administering the Dangerous Goods Act 1985 |
| To construct a building or construct or carry out works on land used for an industry or warehouse for a purpose listed in the table to Clause 52.10 and shown with a Note 2 if both: <ul style="list-style-type: none"> • The premises are licensed under the Dangerous Goods (Storage and Handling) Regulations or the | The Minister administering the Dangerous Goods Act 1985 |

| KIND OF APPLICATION | REFERRAL AUTHORITY |
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| <p>Dangerous Goods (Explosives) Regulations.</p> <ul style="list-style-type: none"> The area of the buildings and works will increase by more than 25 percent. <p>To use or develop land for extractive industry.</p> | <p>Secretary to the Department administering the Extractive Industries Development Act 1995</p> <p>Secretary to the Department administering the Archaeological and Aboriginal Relics Preservation Act 1972 and Part IIA of the Aboriginal and Torres Strait Islander Heritage Protection Act (Commonwealth) 1984</p> <p>Secretary to the Department administering the Heritage Act 1995</p> |
| <p>To use or develop land for extractive industry:</p> <ul style="list-style-type: none"> On Crown land or land abutting Crown land, other than a government road. In Special Areas declared under Section 27 of the Catchment and Land Protection Act 1994. 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. In areas with communities or taxa listed or critical habitat determined under the Flora and Fauna Guarantee Act 1988. On land which has been identified in this scheme as flood prone. 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. On land which has been identified in this scheme as containing sites of flora or fauna significance. | <p>Secretary to the Department administering the:</p> <p>Land Act 1958, Crown Land (Reserves) Act 1978, National Parks Act 1975 and Forests Act 1958</p> <p>Catchment and Land Protection Act 1994</p> <p>Catchment and Land Protection Act 1994</p> <p>Flora and Fauna Guarantee Act 1988</p> <p>Section 201 of the Water Act 1989</p> <p>Catchment and Land Protection Act 1994</p> <p>Flora and Fauna Guarantee Act 1988</p> |
| <p>To use or develop land for extractive industry if the land is intended to be used for land fill at a future date.</p> | <p>Environment Protection Authority</p> |

| KIND OF APPLICATION | REFERRAL AUTHORITY |
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| <p>To use or develop land for extractive industry:</p> <ul style="list-style-type: none"> On land which abuts a local road which intersects with a road declared under the Transport Act 1983 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. On land which abuts a road declared under the Transport Act 1983. 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 layout shown below and the declared road is not a freeway. | Roads Corporation |

| DESIGN SPEED KM/H | D1 | R METRES | D2 |
|-------------------|-----|----------|----|
| 120 | 120 | 3000 | 46 |
| 100 | 100 | 2400 | 42 |
| 80 | 80 | 1800 | 39 |
| 60 | 60 | 1000 | 28 |
| 50 | 50 | 600 | 20 |



66.03

Gippsland coalfields

| KIND OF APPLICATION | REFERRAL AUTHORITY |
|---|--|
| Any application in the Special Use Zone No 1 (Brown Coal) in the La Trobe Planning Scheme. | The Secretary to the Department of Natural Resources and Environment |
| On land identified as the Gippsland Coalfields Policy Area in the Local Planning Policy Framework of the Baw Baw Planning Scheme, La Trobe Planning Scheme, South Gippsland Planning Scheme and the Wellington Planning Scheme: | The Secretary to the Department of Natural Resources and Environment |
| <ul style="list-style-type: none"> To subdivide land. | |

| KIND OF APPLICATION | REFERRAL AUTHORITY |
|---|--------------------|
| <ul style="list-style-type: none"> To use land or to construct a building or construct or carry out works for a cemetery, educational centre, exhibition centre, function centre, golf course, hospital, industry (other than rural industry), major sports and recreational facility, shop or office with a gross floor area exceeding 2000 square metres, or accommodation if the total number of people to be accommodated exceeds 100 or the proposed development results in an increase of greater than 25 percent to the gross floor area of an existing accommodation building. | |