

Red Cliffs Terminal Station

Planning Permit Application
No. PA2402901 construction
of buildings and works for an
existing utility installation



Officer Assessment Report
Development Approvals & Urban Design

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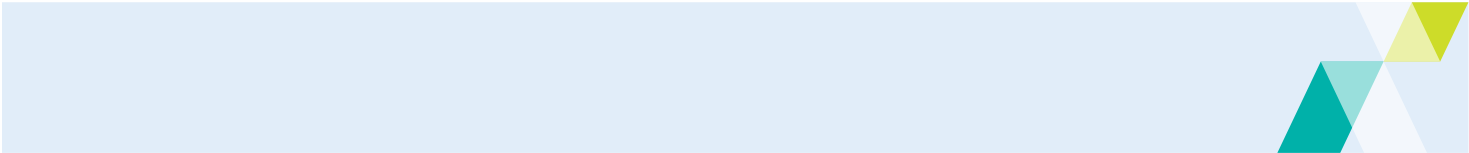
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Summary

Key information		Details		
Application No.:	PA2402901			
Received:	30 May 2024			
Applicant:	AusNet Transmission Group Pty Ltd (AusNet) c/- Urbis			
Planning Scheme:	Mildura			
Land Address:	Address	Volume	Folio	Description
	718 Woomera Avenue, Red Cliffs	8242	198	Lot 1 on TP12019Y
Project Name:	Red Cliffs Terminal Station			
Project Description:	The proposed buildings and works include: Replacement of transformers and other buildings and works at the existing terminal station			
Development value:	\$15-20 million			
Zone:	Special Use Zone – Schedule 5 (SUZ5)			
Overlays:	The development site is affected by: Environmental Audit Overlay (EAO) Environmental Significance Overlay – Schedule 1 (ESO1) Heritage Overlay – Schedule 168 (HO168) The following overlays partially impact the site, but do not cover the area where works are proposed.: <ul style="list-style-type: none">• Floodway Overlay (FO)• Land Subject to Inundation Overlay (LSIO)			
Particular Provisions:	Not applicable			
Why is a permit required?	Clause 37.01 – Special Use Zone: * 37.01-4 – Construct a building or construct or carry out works associated with a Section 2 use of Clause 37.01-1 Clause 43.01 – Heritage Overlay – Schedule 168 * 43.01-1 – Construct a building or construct or carry out works.			
Responsible Authority:	Under Clause 72.01-1, the Minister for Planning is the responsible authority for a planning permit application for the use or development of land associated with: <ul style="list-style-type: none">• Utility installation used to:<ul style="list-style-type: none">○ Transmit or distribute electricity○ Store electricity if the installed capacity is 1 megawatt or greater			
Referral authorities	AusNet Transmission Group (section 55 – Determining).			



Key information	Details
Notice Requirements:	<ul style="list-style-type: none">• Mildura Rural City Council• Department of Energy, Environment and Climate Action• Parks Victoria• First Peoples of Millewa-Mallee Aboriginal Corporation• CFA
Submissions/objections:	3 submissions
CHMP	A Mandatory Cultural Heritage Management Plan is not required.
Delegation	Delegation received on 17 September 2024.



1. The key milestones in the process of the application were as follows:

Milestone	Date
Pre-application meeting	N/A
Application lodgement	30 May 2024
Further information requested	27 May 2024
Further information received	5 August 2024
Public notice period	At least 14 days. The statutory declaration was provided on 27 August 2024.
Decision Plans	Site Plan, titled 'Red Cliffs Terminal Station Transformer Replacement', prepared by Urbis dated 26 July 2024. Elevation Plan, titled 'Red Cliffs Terminal Station Transformer Replacement Elevation', prepared by Urbis dated 26 July 2024.

Table 2. Application milestones

2. The subject of this report is the decision plans.
3. The assessment was informed by consultant reports including:
- Planning Report, Version 1, prepared by Urbis and dated 29 July 2024.
 - Acoustic Memo, prepared by Marshall Day Acoustics and dated 4 July 2024.



Site Description and Site Surrounds

4. The subject site (refer to Figure 1 below) is identified as 718 Woomera Avenue and is approximately 9.5 hectare (ha) of irregularly shaped land which forms the proposal site.
5. The site abuts Woomera Avenue to the west with vegetation providing screening for the existing Red Cliffs Terminal Station (RCTS). To the north and east land is Crown Land which is densely vegetated, and the Murray River runs to the south. Adjacent to Woomera Avenue, approximately 200m away are the nearest residents.
6. The subject land contains the existing RCTS which includes electrical infrastructure such as a switchyard bay.
7. The relevant parcels of land are:
 - 718 Woomera Avenue, Red Cliffs (Lot 1 on TP12019Y).
8. No restrictions or easements are registered to the titles that would prevent the issue of a planning permit.

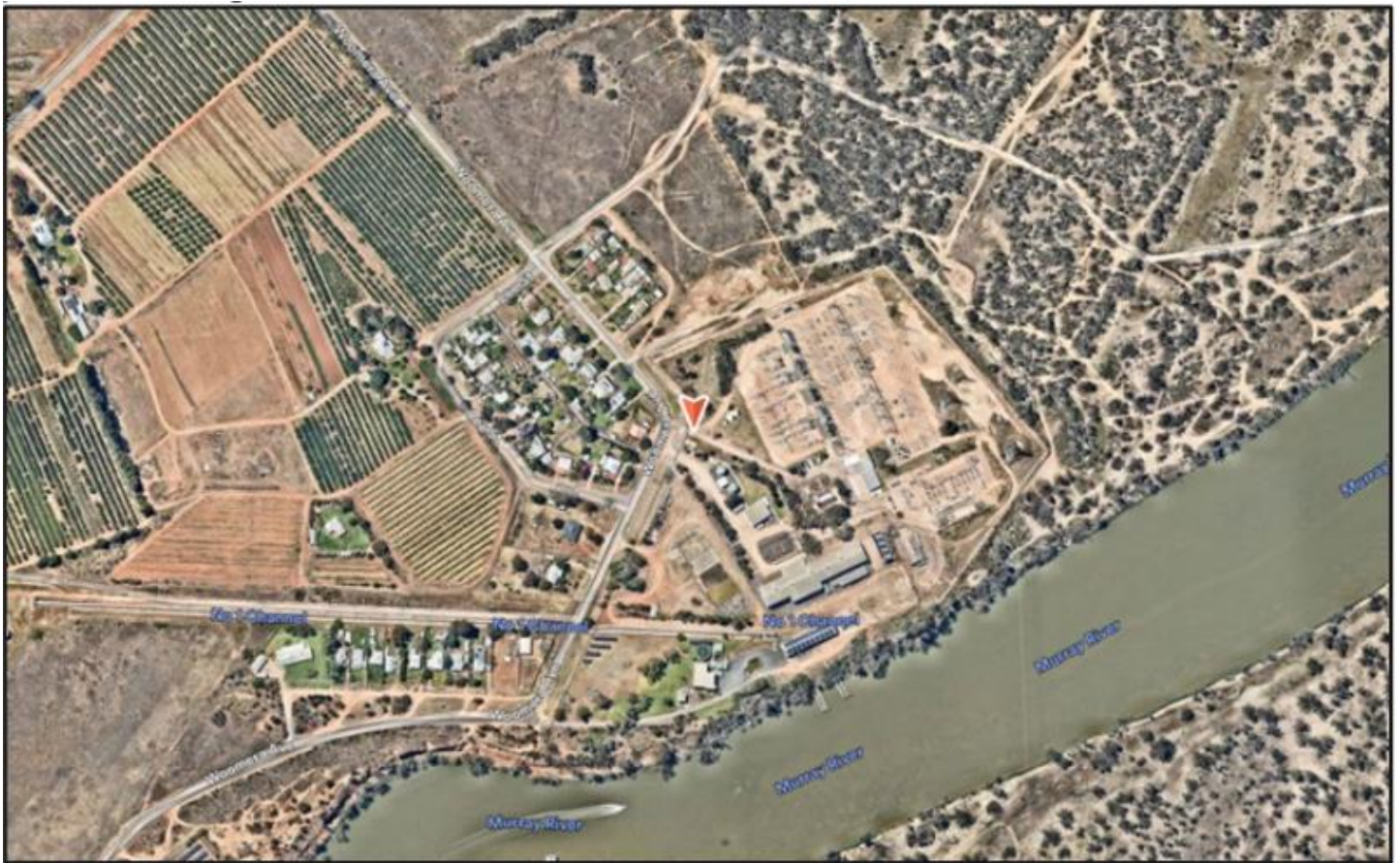


Figure 1. Red Cliffs Terminal Site Location. (Urbis Pty Ltd, 2023)



9. The proponent is seeking planning approval for buildings and works to upgrade infrastructure at the Red Cliffs Terminal Station including:

Item	Existing	Proposed works
Transformers "B1"/ "B2" (150 MVA) (Tanks and associated cooling equipment)	No	Proposed new units
Transformers "U1"/"U2" (33/49.5 MVA) (Tank and associated cooling equipment)	No	Proposed new units
Transformer "3" (140 MVA) (Tank and associated cooling equipment)	Yes	Proposed to be upgraded
66 kV reactors (x3)	Yes	To be retained
48V Battery system cabinets (x2)	Yes	To be relocated from within existing building to outside
250V Battery system cabinets (x2)	Yes	To be relocated from within existing building to outside
50V Comms battery cabinet "B" (x1)	Yes	To be retained (Located outside currently).
Transformers "1"/"2" (Tanks and associated cooling equipment)	Yes	To be removed.

10. It is also noted that the proposed works will not require the removal of any vegetation.

11. An overview of the project layout of the proposal are shown in Figure 2.



Figure 2: Proposed Project Layout (by Urbis, 2024).



Planning Policy Framework

12. The Planning Policy Framework (PPF) provides the broad policy direction within the Victoria Planning Provisions. The planning principles set out under the PPF are to be used to guide decision making on planning proposals across the state. The following policies are considered relevant to this application:

- Clause 13 – Environmental Risks and Amenity
 - Clause 13.02-1S – Bushfire Planning
 - Clause 13.05-1S – Noise Management
- Clause 15 – Built Environment and Heritage
 - Clause 15.03 – Heritage
- Clause 19 – Infrastructure
 - Clause 19.01-1S – Energy Supply
 - Clause 19.01-2S – Renewable Energy

Statutory Planning Controls

13. The following planning controls of the Mildura Planning Scheme are relevant to the application.

Zones – Clause 37.01 – Special Use Zone (Schedule 5)

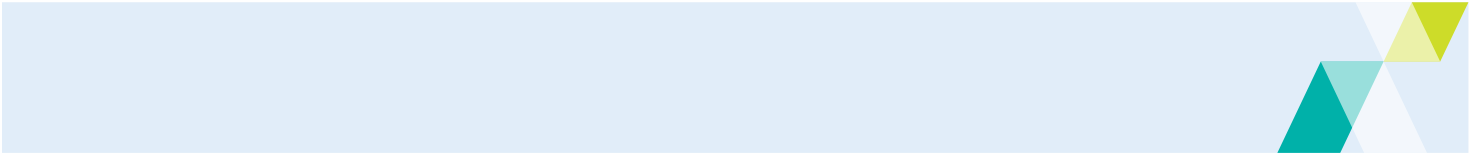
14. Pursuant to Clause 37.01-4 a planning permit is required to construct a building or construct or carry out works unless a schedule to the zone specifies otherwise. The schedule to the zone specifies a permit is not required to construct a building or to construct or carry out works in accordance with an approved Development Plan (DP).
15. Although a DP has been approved (Murraylink Development Plan (An9066/September 2000), the proposed works are not in accordance with the DP. Therefore, a permit is required in accordance with Clause 37.01-4.
16. Pursuant to Section 2 of Clause 37.01-1, a planning permit is not required for the use of land for the purpose of a utility installation (other than Minor utility installation and Telecommunications facility) as it is an existing use on the site.

Overlays – Clause 43.01 – Heritage Overlay (Schedule 168 Red Cliffs Main Pumping Station)

17. Pursuant to Clause 43.01-1 a permit is required to construct a building or construct or carry out works. The extent of the mapped area of the Heritage Overlay Schedule 168 (HO168) can be seen below in Figure 3.



Figure 3: Heritage Overlay Extent – Source: DELWP MapShare

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18. Despite the extent of the Heritage Overlay (HO) affecting the site of the Red Cliffs substation, the heritage place as identified within the schedule to the HO specifically identifies that HO Schedule 168 seeks to protect the Red Cliffs Main Pumping Station at Crown Reserve Sec B, Red Cliffs (Map 38HO).
 19. As confirmed in the assessment of planning permit **PA2302136** in May 2023, discussions with MRCC clarified assertions that the mapped extent of HO168 is an anomaly and should in fact be on the property to the south of the site where the pumping station is located.
 20. Even though the mapping is incorrect, pursuant to Clause 43.01-1 a permit is required to construct a building or construct or carry out works.

Other Planning and Environmental Approvals

Aboriginal Heritage Act 2006 (AH Act)

21. The AH Act seeks to avoid adverse effects to Aboriginal cultural heritage values as far as reasonably practicable. Where adverse effects cannot be avoided, measures must be implemented to minimise and mitigate adverse effects.
22. A Cultural Heritage Due Diligence Assessment letter dated 21 February 2023, prepared by Red-Gum Environmental Consulting as part of **PA2302136** found the activity area has been subject to significant ground disturbance therefore, a mandatory CHMP is not required for the proposal.



Referrals

The application was required to be referred to the following group:

Referral/ Notice	Provision/ Clause	Organisation	Response Received (date)
Section 55 Referral- Determining	Clause 66.02-4 – Use and Development Referrals (Major electricity Line or easement)	AusNet Services	2 August 2024.

23. On 2 August 2024, AusNet stated in writing that they did not object to the granting of the permit for the proposal in accordance with s55(1)(b) of the Planning and Environment Act 1987 (P&E Act).

Notice

24. In accordance with Section 52(1) of the *Planning and Environment Act 1987* (P&E Act), notice of the application was given for a period of 14 days by letter and/or email to:

- Section 52(1)(b) of the P&E Act:
 - Mildura Rural City Council
- Section 52(1)(c) of the P&E Act:
 - Department of Energy, Environment and Climate Action
 - Parks Victoria
 - Owners and occupiers of adjoining land
- Section 52(1)(d) of the P&E Act:
 - First Peoples of Millewa-Mallee Aboriginal Corporation
 - CFA

25. At the time of writing this report, no objections have been received.

Submissions

Department of Environment, Energy and Climate Action (DEECA)

26. DEECA provided a submission on 3 September 2024 and stated that it does not object to the proposed works, subject to the following conditions being included:

- No structures are to be constructed on, or encroach upon, the adjoining Crown land.
- Any works occurring on the adjoining freehold land should ensure a suitable setback is provided from the Crown land boundary.
- Crown land is not to be used as defensible space to satisfy a Bushfire or Wildfire Management Overlay (BMO or WMO) requirements.
- There is to be no stockpiling of material or storage of machinery/equipment on the adjoining Crown land.
- The Crown land must not be used for truck turning areas, entry points, parking areas or temporary stock sites during the construction of the buildings or works.
- The Crown land must not be used for storage during the construction of the buildings or works.

27. DTP accepts the conditions recommended by DEECA and a modified, more concise version of these will be included on any permit that is issued.



Country Fire Authority

28. CFA provided a submission on 22 August 2024 stating that they do not object to the proposed works and provided no recommended conditions.

Mildura Rural City Council

29. Mildura Rural City Council provided a submission on 30 August 2024 and stated that they had no comments regarding the proposed works.

APA

30. As an adjoining owner/occupier, the APA provided a submission on 16 September 2024 and stated that they do not object to the proposed works and provided no recommended conditions.



Key Policy Issues

Planning Policies

31. The assessment below addresses the relevant sections of the Mildura planning scheme. The key issues for assessment are:
- Policy context
 - Potential amenity impacts
 - Natural Environment
 - Traffic and Transport

Policy Context

State and Local Planning Framework

32. Clause 12.01.1S and Clause 12.01-2S promote the protection and conservation of Victoria's biodiversity to ensure there is no net loss of biodiversity from the removal of native vegetation. It is noted that no vegetation is proposed to be removed as part of the application.
33. Clause 15.03-2S seeks to protect places of Aboriginal Cultural Heritage significance the subject site is within an area of cultural heritage sensitivity and three Aboriginal Cultural Heritage Places were identified during a desktop assessment. Due to previous significant ground disturbance, a mandatory CHMP was not required.
34. Clause 19.01-1S and Clause 19.01-2S seeks to deliver alternative energy generation and facilitate renewable energy development while considering appropriate design and siting. The upgrades to the existing High Voltage Transmission Network improves interconnectivity between Victoria and NSW.
35. It is considered that the proposal is consistent with the relevant state and local planning policies.

Potential Amenity Impacts

Visual Impact

36. Given the nature of the proposed works the existing bulk and scale of the transformer infrastructure at 718 Woomera Avenue, Red Cliffs will be unaffected. Accordingly, the proposed replacement of existing infrastructure (four existing transformers and numerous battery) with three new transformers are deemed to be unobtrusive and will not result in the creation of any significant adverse built form impacts upon the surrounding locality

Noise Impact

37. The proposal has been sited and designed to replace existing infrastructure and retain the established buffers and proximity to sensitive land uses (Clause 13.05-1S).
38. The application is supported by an acoustic assessment prepared by Marshall Day Acoustics and dated 4 July 2024 in line with EPA Publication 1826.4 Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues.
39. The assessment of the building and works states that works will result in new transformers which will achieve greater compliance than existing infrastructure. The proposed buildings and works also include a range of acoustic measures, such as additional transformer noise barriers, additional reactor noise barriers, full transformer enclosures, and transformer noise level tanks.
40. It is noted that Transformer 3 contributes to most of the cumulative noise levels. Notably, following the completion of buildings and works the acoustic assessment demonstrates that all transformers will be able to achieve compliance with the relevant EPA Publication.
41. DTP officers consider this acceptable. It is noted that the facility will be required to operate in compliance with EPA noise regulations.



Natural Environment

42. It is noted that the proposed works will be contained in the existing site boundary and seek to replace existing infrastructure. There will be no additional dust or waste generated by the site and no impacts to any vegetation on or off site. It is therefore considered that the proposal will have no impact upon the surrounding environment.
43. DEECA was given notice of the application and did not object however, noted no works should impact the adjoining crown land. Given the minor nature of the works to upgrade the facility, DTP officers consider the proposal to appropriately minimise impacts to the natural environment.

Traffic and Transport

44. The proposal is not considered to generate any significant or discernible road safety concerns and local traffic is mostly expected to increase during typical working hours.
45. Mildura Shire Council who is the relevant authority for local roads were given notice of the proposal and did not object.



Recommendation

46. It is recommended that the delegate of the Minister for Planning:

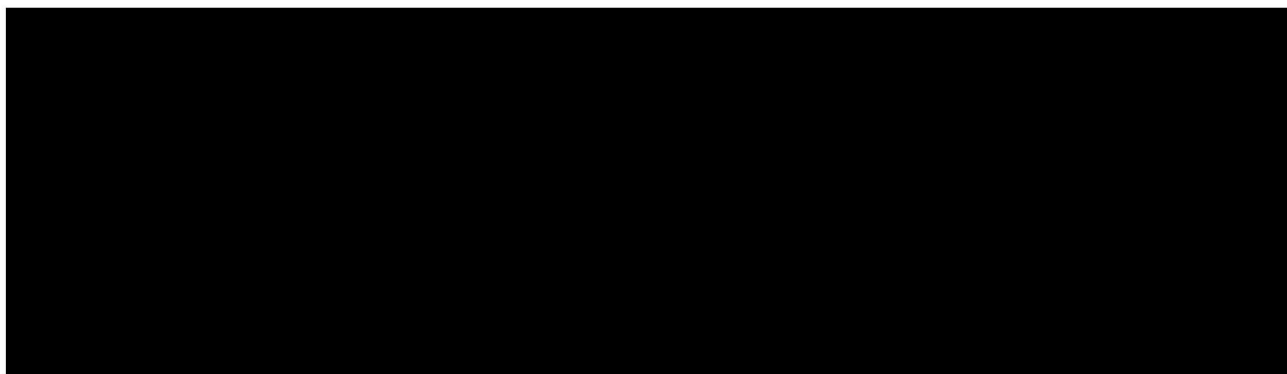
- Issue Planning Permit **PA402901** for buildings and works to upgrade infrastructure at the Red Cliffs Terminal Station.
- **Endorse the following plans/documents -**
 - Site Plan, titled 'Red Cliffs Terminal Station Transformer Replacement', prepared by Urbis dated 26 July 2024.
 - Elevation Plan, titled 'Red Cliffs Terminal Station Transformer Replacement Elevation, prepared by Urbis dated 26 July 2024.

47. The applicant, Mildura Shire Council, DEECA, and the CFA should be advised of the above in writing.

Prepared by [REDACTED]

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- ☒ **No Conflict**
- ☐ Conflict and have therefore undertaken the following actions:
- ☐ Completed the **Statutory Planning Services declaration of Conflict/Interest form**.
 - ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.
 - ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.



Reviewed by: [REDACTED]

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Approved by: [REDACTED]

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[REDACTED]	
[REDACTED]	