

# Information sheet for environmental audits and preliminary risk screen assessments (PRSAs)



Publication 2009 June 2021

## Victoria's audit system

An environmental audit system has operated in Victoria since 1989. The *Environment Protection Act 2017* (the Act) provides for the appointment of environmental auditors. It also provides for Environment Protection Authority (EPA or the Authority) to have a system of preliminary risk screen assessments (PRSAs) and environmental audits. These are used in the planning, approval, regulation and management of activities, and in protection of human health and the environment.

Under the Act, the functions of an environmental auditor include to:

- conduct PRSAs and environmental audits
- prepare and issue PRSA statements and reports, and environmental audit statements and reports.

The purpose of a PRSA is to:

- assess the likelihood of the presence of contaminated land
- determine if an environmental audit is required
- recommend a scope for the environmental audit if an environmental audit is required.

The purpose of an environmental audit is to:

- assess the nature and extent of the risk of harm to human health or the environment from contaminated land, waste, pollution, or any activity
- recommend measures to manage the risk of harm to human health or the environment from contaminated land, waste, pollution, or any activity
- make recommendations to manage any contaminated land, waste, pollution or activity.

Upon completion, all PRSAs and environmental audits require preparation of either a PRSA statement, accompanied by a PRSA report, or an environmental audit statement, accompanied by an environmental audit report.

A person may engage an environmental auditor to conduct a PRSA or an environmental audit.

EPA administers the environmental audit system and ensures an acceptable quality of environmental auditing is maintained. This is achieved by assessing auditor applications and conducting a quality assurance program. These measures ensure that PRSAs and environmental audits that environmental auditors undertake are completed in accordance with the relevant sections of the Act or any other Act, and with the guidelines the Authority or other government agencies have published.

## Information sheet for environmental audits and preliminary risk screen assessments (PRSAs)

### File structures

EPA stores digital statements and reports from PRSAs and environmental audits in three parts:

- Part A, the PRSA or environmental audit report
- Part B, report appendices
- Part C, the PRSA statement and executive summary or environmental audit statement and executive summary.

Report executive summaries, findings and recommendations should be read and relied upon only in the context of the whole document, including any appendices and the PRSA statement or environmental audit statement.

### Currency of PRSAs and environmental audits

PRSAs and environmental audits are based on the conditions encountered and information reviewed at the time of preparation. They don't represent any changes that may have occurred since the completion date. As it's not possible for the PRSA or audit report to present all data that could be of interest to all readers, consideration should be made to any appendices or referenced documentation for further information.

When information about the site changes from what was available at the time the PRSA or environmental audit was completed, or where an administrative error is identified, an environmental auditor may amend or withdraw PRSA or environmental audit statements and/or reports. Users are advised to check EPA's website to ensure documents' currency.

### PDF searchability and printing

EPA can only provide PRSAs and environmental audit statements, reports and appendices that the environmental auditor provided to EPA via the EPA portal on the EPA website.

All statements and reports should be in a Portable Document Format (PDF) and searchable; however at times some appendices may be provided as image-only PDFs, which can affect searchability.

The PDF is compatible with Adobe Acrobat Reader, which is downloadable free from Adobe's Website ([www.adobe.com](http://www.adobe.com)).

### Further information

For more information on Victoria's environmental audit system, visit EPA's website or contact EPA's Environmental Audit Unit.

Web: [www.epa.vic.gov.au](http://www.epa.vic.gov.au)

Email: [environmental.audit@epa.vic.gov.au](mailto:environmental.audit@epa.vic.gov.au)



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# Preliminary risk screen assessment statement

Under Part 8.3 of the *Environment Protection Act 2017*

Publication F1031.1 published February 2022



The purpose of a preliminary risk screen assessment is:

- (a) to assess the likelihood of the presence of contaminated land; and
- (b) to determine if an environmental audit is required; and
- (c) if an environmental audit is required, to recommend a scope for the environmental audit.

It is important to note that a PRSA statement is not an environmental audit statement or an environmental audit report. It should not be construed as an environmental audit conducted to assess the suitability of land use.

This statement is a summary of the findings of a preliminary risk screen assessment conducted under Part 8.3 of the *Environment Protection Act 2017* for:

**179 Gladstone Street, South Melbourne** (Lot 1 TP704654 in Certificate of Title Volume 3988 Folio 675)

Further details are provided in the preliminary risk screen assessment report that accompanies this statement.

## Section 1: Preliminary risk screen assessment overview

### Environmental auditor details

Name:	Steven Bos
Company:	Prensa Pty Ltd
Address:	5 Burwood Road, Hawthorn
Phone:	(03) 9508 0100
Email:	Steve.bos@prensa.com.au

### Site owner/occupant

Name:	David Breene
Company:	

### Environmental auditor engaged by

Name:	David Breene
Company:	
Relationship to site owner:	Site owner

### Reason for preliminary risk screen assessment

Planning scheme:	Environmental Audit Overlay
Permit details (if applicable):	1049/2017
Other:	
<input checked="" type="checkbox"/> Permit is attached (if applicable):	

## Section 2: Assessment scope

### Site details

Address:	179 Gladstone Street, South Melbourne
Title details:	Lot 1 TP704654 in Certificate of Title Volume 3988 Folio 675
Area (m <sup>2</sup> ):	195

- ☒ a plan of the site is attached

### Use or proposed use assessed

The below section details which land uses (current and proposed) the PRSA has assessed. Note, this is not a suitability of land use audit, rather an assessment to determine if an environmental audit is required for the land uses that apply to the specific PRSA.

### Sensitive land use categories

Note that sensitive land uses in the *Environment Reference Standard 2021* (ERS 2021) are categorised as lower and high density. Lower density is where there is generally substantial access to soil and high density is restricted to developments that make maximum use of available land space, and there is minimal access to soil. For planning purposes, the *Ministerial Direction No. 1* (MD No.1) considers secondary schools and children's playgrounds to be sensitive land uses.

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> High density         | <input checked="" type="checkbox"/> Residential land use |
|  | <input type="checkbox"/> Child care centre               |
| <input type="checkbox"/> Other (lower density)           | <input type="checkbox"/> Pre-school                      |
|  | <input type="checkbox"/> Primary school                  |
|  | <input type="checkbox"/> Secondary school                |
| <input type="checkbox"/> Children's playground (indoor)  |  |
| <input type="checkbox"/> Children's playground (outdoor) |  |

### Other land use categories

- ☐ Recreation/open space
- ☐ Parks and reserves
- ☐ Agricultural
- ☐ Commercial
- ☐ Industrial
- ☐ Other land uses not captured by the above as described here:

### Environmental elements assessed

- ☒ Land
- ☒ all environmental values that apply to the land use category were considered OR
  - ☐ all environmental values that apply to the land use category, other than the following, were considered:
- 
- ☒ Water
- ☒ Surface water
    - ☐ all environmental values that apply to the applicable segment were considered OR
    - ☐ all environmental values that apply to the applicable segment, other than the following, were considered:
- 
- ☒ Groundwater
    - ☒ all environmental values that apply to the applicable segment were considered OR

## Preliminary risk screen assessment statement

- ☐ all environmental values that apply to the applicable segment, other than the following, were considered:
- 

### Standards considered

Environment Reference Standard 2021

National Environment Protection (Assessment of Site Contamination) Measure 1999, as amended from time to time

### Assumptions made during the assessment or any limitations

- The Site boundary as defined in the attached figure;
- The Site use as high-density residential; and
- The proposed development plans and landscape plans, as provided at the time of this PRSA by David Breene, comprising maximum use of available land space and does not constitute areas of exposed soil or abstractive use of groundwater.

### Exclusions from the assessment and the rationale for these

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This statement is accompanied by the following preliminary risk screen assessment report

Title:	Preliminary Risk Screen Assessment, 179 Gladstone Street, South Melbourne, Victoria
Report no:	101864M
Date:	14 April 2022

### Section 3: Assessment outcome

Based on my assessment, I am of the opinion that an environmental audit is not required for the following land uses, including the use or proposed use for which the site has been assessed:

#### Sensitive land use categories

Note that sensitive land uses in the ERS 2021 are categorised as lower and high density. Lower density is where there is generally substantial access to soil and high density is restricted to developments that make maximum use of available land space, and there is minimal access to soil. For planning purposes, the MD No.1 considers secondary schools and children's playgrounds to be sensitive land uses.

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> High density          | <input checked="" type="checkbox"/> Residential land use |
|   | <input type="checkbox"/> <del>Child care centre</del>    |
| <input type="checkbox"/> <del>Other (lower density)</del> | <input type="checkbox"/> <del>Pre-school</del>           |
|   | <input type="checkbox"/> <del>Primary school</del>       |
|   | <input type="checkbox"/> <del>Secondary school</del>     |
| <input type="checkbox"/> Children's playground (indoor)   |  |
| <input type="checkbox"/> Children's playground (outdoor)  |  |

#### Other land use categories

- ☐ ~~Recreation/open space~~
- ☐ ~~Parks and reserves~~
- ☐ ~~Agricultural~~
- ☐ ~~Commercial~~
- ☐ ~~Industrial~~
- ☐ ~~Other land uses not captured by the above as described here:~~

Note: An assessment that an environmental audit is not required does not include any comment on as to whether responsibilities under section 39 of the *Environment Protection Act 2017* (duty to manage contaminated land) exist for the person in management or control of the land. Please refer to EPA publication 1977, *Assessing and controlling contaminated land risks: A guide to meeting the duty to manage for those in management or control of land* (<https://www.epa.vic.gov.au/about-epa/publications/1977>).

## Preliminary risk screen assessment statement

### Section 4: Environmental auditor's declaration

I state that:

- I am appointed as an environmental auditor by the Environment Protection Authority Victoria under the *Environment Protection Act 2017*.
- The findings contained in this statement represents a true and accurate summary of the findings of the preliminary risk screen assessment that I have completed.

Date: 14 April 2022

Signed:



Name: Steven Bos

Environmental Auditor



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# PRSA 179 Gladstone Street, South Melbourne

## Site Location Plan



Not to scale - All locations are approximate

prensa

Client No: B0267

Job No: 101864M

Client: David Breene

Project: PRSA 179 Gladstone St

Address: 179 Gladstone Street, South Melbourne, VIC

Legend:

Approximate Site Boundary

0

21

42

Metres

Index Location Map:

Sunshine

Maribyrnong

Footscray

Altona North

Altona

Williamstown

St Kilda

179 Gladstone St, South Melbourne VIC 3205

Image Source: NearMaps

Viewed: xx/xx/20xx

File Name: 101864M Figure 1

Version: 1

Drawn By: LJB

Checked By: TLF

Date: 23/03/2022

Figure number: 1



Enquiries: Kathryn Pound  
Telephone: (03) 9209 6424  
Facsimile: (03) 9536 2740  
Our Ref: 1049/2017

30 August 2018

ALL EXTENSIONS  
C/- Ian Kidston  
331A Bay Street  
PORT MELBOURNE VIC 3207

Dear Sir/Madam,

Re: **Planning Permit No. 1049/2017**  
Address: **179 Gladstone Street, SOUTH MELBOURNE VIC 3205**

I refer to the above Planning Permit which was issued by Council on 26 July 2018.

The permit has now been amended pursuant to s 71 of the Planning & Environment Act 1987 to correct a clerical mistake or error arising from an accidental slip in the issuing of the permit. Specifically condition 20 (Development contributions) has now been deleted from the permit.

Please keep a copy of this amended permit for your records.

Note: **Any variation** from the Planning Permit and Approved Plans will require prior written consent from the Responsible Authority, this may require you to submit a new application for a planning permit from Planning & Building Services at the City of Port Phillip. An Enforcement Notice will be issued to a building surveyor who fails to comply with the Building Regulations as they relate to Planning consent. Enforcement action under the Planning & Environment Act 1987 may also involve the owner where they have shown disregard for the conditions of this Planning Permit issued under the Port Phillip Planning Scheme.

**PLEASE READ AND CONSIDER THE CONDITIONS CAREFULLY.**

Yours faithfully

Kathryn Pound  
Major Projects & Appeals Advisor

Planning & Building Services *Located at:-*  
*St Kilda Office*  
*99A Carlisle Street, St Kilda*



# PLANNING PERMIT

Application Number: **1049/2017**  
Planning Scheme: **Port Phillip**  
Responsible Authority: **City of Port Phillip**

## ADDRESS OF THE LAND:

**179 GLADSTONE STREET, SOUTH MELBOURNE VIC 3205**

## THE PERMIT ALLOWS:

Demolition of existing structures, use and development of a four storey dwelling with rooftop terrace and provision of car parking in excess of the Parking Overlay generally in accordance with the endorsed plans and subject to the following conditions.

## THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

### 1. Amended Plans Required

Before the use and/ or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be generally in accordance with the plans prepared by All Extension Design Service Revision 1, dated December 2017 and received by Council on 23 April 2018, but modified to show:

- a) The front portion of the roof deck setback from both side boundaries to match the setbacks of the rear portion of the roof deck.
- b) Either a solid wall or screen on the south-western boundary of the third floor deck. Removal of the roof overhanging this portion of the third floor deck may also occur.
- c) Increased ground floor ceiling heights to a minimum of 3 m, with no increase in overall building height.
- d) Higher quality architectural treatment to the blank south west facing side wall forward of the light well. A texture or cladding treatment should be used, not a painted finish.
- e) Details of the front screen including the width, depth and spacing of the vertical members and the framing required to support the screening. The screen must allow some visual permeability into the dwelling.
- f) Details of the landscaping behind the front screen and along the first-floor balcony. Plants selected must allow some visual permeability into the dwelling.
- g) The glass brick material being Poesia Arctic Crystal Natural.
- h) The first floor habitable room windows which face onto the lightwell screened to limit downwards views.
- i) Shading devices to the second and third floor street facing (fully glazed) walls, or the use of a high performance solar control glass.

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**Kathryn Pound**

**Signature for Responsible Authority**

- j) Provision of operable windows to allow cross-ventilation and a minimum of one operable window sash to each habitable room in addition to any glazed door. Window and door format and sash operation must be clearly indicated.
- k) Any changes necessary to meet the requirements of the Sustainable Design Assessment in the corresponding condition(s) below.
- l) The location of essential services, such as power connections, switchboards and other critical services being located at or above the floor level of 2.4 m to AHD.
- m) Any changes necessary to meet the requirements of Melbourne Water in the corresponding conditions below.
- n) Any changes necessary to meet the requirements of the Water Sensitive Urban Design Response in the corresponding condition(s) below.
- o) Any changes necessary to meet the requirements of the Landscape Plan in the corresponding condition below.
- p) Any changes necessary to meet the requirements for Noise Attenuation in the corresponding condition below.

## **2 No Alterations**

The layout of the use and the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason without the prior written consent of the Responsible Authority, unless the Port Phillip Planning Scheme exempts the need for a permit.

## **3 No change to external finishes**

All external materials, finishes and colours as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

## **4 Privacy Screens Must be Installed**

Privacy screens as required in accordance with the endorsed plans must be installed prior to occupation of the building and thereafter maintained to the satisfaction of the Responsible Authority.

## **5 Walls on or facing the boundary**

Before the occupation of the development allowed by this permit, all new or extended walls on or facing the boundary of adjoining properties and/or a laneway must be cleaned and finished to a uniform standard to the satisfaction of the Responsible Authority. Unpainted or unrendered masonry walls must have all excess mortar removed from the joints and face and all joints must be tooled or pointed also to the satisfaction of the Responsible Authority. Painted or rendered or bagged walls must be finished to a uniform standard to the satisfaction of the Responsible Authority.

## **6 No equipment or services**

Any plant, equipment or domestic services visible from the primary street frontage (other than a lane) or public park must be located and visually screened to the satisfaction of the Responsible Authority.

## **7 Landscape Plan**

Before the development starts (other than demolition or works to remediate contaminated land), a detailed Landscape Plan must be submitted to, approved by and be to the satisfaction of the Responsible Authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The Landscape Plan must incorporate:

- a) Buildings and vegetation (including botanical names) on neighbouring properties within 3m of the boundary
- b) Significant trees greater than 1.5m in circumference, 1m above ground
- c) All street trees and/or other trees on Council land

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- d) A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways.
- e) Landscaping and planting within all open space areas of the site, and
- f) Water sensitive urban design.

All species selected must be to the satisfaction of the Responsible Authority.

## **8 Completion of Landscaping**

The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.

## **9 Landscaping Maintenance**

The landscaping as shown the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.

## **10 Sustainable Design Assessment**

Before the development starts (other than demolition or works to remediate contaminated land) a Sustainable Design Assessment that outlines proposed sustainable design initiatives and responds to the issues raised by Council's ESD Advisor (including but not limited to improving the energy rating) must be submitted to, be to the satisfaction of and approved by the Responsible Authority. When approved, the Assessment will be endorsed and will then form part of the permit and the project must incorporate the sustainable design initiatives listed.

## **11 Incorporation of Sustainable Design initiatives**

The project must incorporate the sustainable design initiatives listed in the endorsed Sustainable Design Assessment to the satisfaction of the Responsible Authority.

## **12 Implementation of Sustainable Design Initiatives**

Before the occupation of the development approved under this permit, a report from the author of the Sustainable Design Assessment approved pursuant to this permit, or similarly qualified person or company, must be submitted to the satisfaction of the Responsible Authority. The report must confirm that all measures and recommendations specified in the Ecologically Sustainable Design report have been implemented and/or incorporated in accordance with the approved report to the satisfaction of the Responsible Authority.

## **13 Water Sensitive Urban Design**

Before the development starts (other than demolition or works to remediate contaminated land) a Water Sensitive Urban Design Report that outlines proposed water sensitive urban design initiatives and responds to the issues raised by Council's ESD Advisor must be submitted to, be to the satisfaction of and approved by the Responsible Authority. The report must demonstrate how the development meets the water quality performance objectives as set out in the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) or as amended.

When approved, the Report will be endorsed and will then form part of the permit and the project must incorporate the sustainable design initiatives listed.

## **14 Maintenance Manual for Water Sensitive Urban Design Initiatives (Stormwater Management)**

Before the development starts (other than demolition or works to remediate contaminated land) a Maintenance Manual for Water Sensitive Urban Design Initiatives must be submitted to and approved by the Responsible Authority.

The manual must set out future operational and maintenance arrangements for all WSUD (stormwater management) measures. The program must include, but is not limited to:

- a) Inspection frequency

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b) Cleanout procedures, and

c) As installed design details/diagrams including a sketch of how the system operates.

The WSUD Maintenance Manual may form part of a broader Maintenance Program that covers other aspects of maintenance such as a Building User's Guide or a Building Maintenance Guide.

## **15 Contaminated Land**

Before the development starts (other than demolition or works to remediate contaminated land), the Responsible Authority must be provided with:

- a) A certificate of Environmental Audit for the land issued in accordance with Section 53Y of the Environment Protection Act 1970; or
- b) A Statement of Environmental Audit for the land issued under Section 53Z of the Environment Protection Act 1970 confirming that the environmental conditions of the land are suitable for the use and development allowed by this permit.

## **16 Compliance with Statement of Environmental Audit**

Where a Statement of Environmental Audit is issued for the land, the buildings and works and the use(s) of the land that are the subject of this permit must comply with all directions and conditions contained within the statement.

Where a Statement of Environmental Audit is issued for the land, before the commencement of the use, and before the issue of a Statement of Compliance under the Subdivision Act 1988, and before the issue of an occupancy permit under the Building Act 1993, a letter prepared by an Environmental Auditor appointed under Section 53S of the Environment Protection Act 1970 must be submitted to the Responsible Authority to verify that the directions and conditions contained within the statement have been satisfied.

Where a Statement of Environmental Audit is issued for the land, and any condition of that statement requires any maintenance or monitoring of an ongoing nature, the owner(s) must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning & Environment Act 1987, which must be executed before the commencement of the permitted use and before the certification of the Plan of Subdivision under the Subdivision Act 1988. All such expenses related to the Section 173 Agreement including drafting, negotiating, lodging, registering, execution and ending of the Agreement, including those incurred by the Responsible Authority, must be met by the owner(s).

## **17 Remediation Works Plan**

Before any remediation works are undertaken in association with the environmental audit, a 'remediation works plan' must be submitted to and approved by the Responsible Authority. The plan must detail all excavation works as well as any proposed structures such as retaining walls required to facilitate the remediation works. Only those works detailed in the approved remediation works plans are permitted to be carried out before the issue of a Certificate or Statement of Environmental Audit.

## **18 Vehicle Crossings**

Before the occupation of the development allowed by this permit, vehicle crossings must be constructed in accordance with Council's current Vehicle Crossing Guidelines and standard drawings to the satisfaction of the Responsible Authority. All redundant crossings must be removed and the footpath, naturestrip, kerb and road reinstated as necessary at the cost of the applicant/owner and to the satisfaction of the Responsible Authority.

## **19 Applicant to Pay for Reinstatement**

Before the occupation of the development allowed by this permit, the applicant/owner must do the following things to the satisfaction of the Responsible Authority:

- a) Pay the costs of all alterations/reinstatement of Council and Public Authority assets necessary and required by such Authorities for the development.
- b) Obtain the prior written approval of the Council or other relevant Authority for such alterations/reinstatement.

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- c) Comply with conditions (if any) required by the Council or other relevant Authorities in respect of alterations/reinstatement.

## **20 Deleted**

### **21. Noise Attenuation for Apartments**

External traffic noise intrusion within apartment bedroom and living areas (upon completion; with furnishing within the spaces and with windows and doors closed) and measured in accordance with AS/NZS2107/2000 Acoustics – Recommended Design Sound levels and Reverberation Times for Building Interior shall comply with the following:

- a) Between 10pm and 7am in bedrooms areas must not exceed LAeq, 9hour 40dB(A);
- b) Between 7am and 10pm in living rooms must not exceed LAeq (15hour) 45dB(A).

### **22. Melbourne Water Condition 1**

The finished floor levels of the building must be constructed no lower than 2.4 metres to Australian Height Datum (AHD).

### **23. Melbourne Water Condition 2**

The finished floor levels of the garage must be constructed no lower than 2.1 metres to Australian Height Datum (AHD).

### **24. Time for Starting and Completion**

This permit will expire if one of the following circumstances applies:

- a) The development is not started within two (2) years of the date of this permit.
- b) The development is not completed within two (2) years of the date of commencement of works.
- c) The use is not commenced within two (2) years of the completion of the development.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started; and
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

## **NOTES**

### **Building Approval Required**

This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Building Surveyor.

### **Building Works to Accord with Planning Permit**

The applicant/owner will provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with this planning permit.

### **Drainage Point and Method of Discharge**

The legal point of stormwater discharge for the proposal must be to the satisfaction of the responsible authority. Engineering construction plans for the satisfactory drainage and discharge of stormwater from the site must be submitted to and approved by the Responsible Authority prior to the commencement of any buildings or works.

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<b>Signature for Responsible Authority</b>	



**Other Approvals May be Required**

This Planning Permit represents the Planning approval for the use and/or development of the land. This Planning Permit does not represent the approval of other departments of the City of Port Phillip or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.

**Days and Hours of Construction Works**

Except in the case of an emergency a builder must not carry out building works outside of construction hours:-

- i. Monday to Friday: 7.00am to 6.00pm; or
- ii. Saturdays: 9.00am to 3.00pm.

An Out of Hours permit cannot be obtained for an appointed public holiday under the Public Holidays Act, 1993.

**Broadband, Communications and Digital Economy**

The development must provide for and meet the requirements of the Australian Government Department of Broadband, Communications and Digital Economy publication Fibre in new developments; policy update updated dated 22 June 2011 (as amended).

**Melbourne Water's notes**

The applicable 1 % ARI flood level for the property is 1.60 metres to the Australian Height Datum (AHD).

If further information is required in relation to Melbourne Water's conditions shown above, please contact the Customer and Planning Services team on 9679 7517 quoting Melbourne Water's Reference MWA-1025160

**This permit was amended pursuant to s 71 of the Planning and Environment Act 1987 on 30 August 2018 to delete condition 20.**

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CITY OF PORT PHILLIP	
26/07/2018	Kathryn Pound
Signature for Responsible Authority	

# IMPORTANT INFORMATION ABOUT THIS NOTICE

## WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

## WHEN DOES A PERMIT BEGIN?

A permit operates:

- \* from the date specified in the permit, or
- \* if no date is specified, from
  - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
  - (ii) the date on which it was issued, in any other case.

## WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if: -
  - \* the development or any stage of it does not start within the time specified in the permit, or
  - \* the development requires the certification of a plan of subdivision or consolidation under the Subdivision Act, 1988 and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - \* the development or any stage is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within five (5) years of the certification of the plan of subdivision or consolidation under the Subdivision Act, 1988.
2. A permit for the use of land expires if: -
  - \* the use does not start within the time specified in the permit, or if no time is specified, within two (2) years after the issue of the permit, or
  - \* the use is discontinued for a period of two (2) years
3. A permit for the development and use of land expires if: -
  - \* the development or any stage of it does not start within the time in the permit; or
  - \* the development or any stage of it is not completed within the time specified in the permit or if no time is specified, within two (2) years after the issue of the permit; or
  - \* the use does not start within the time specified in the permit, or if not time is specified, within two (2) years after the completion of the development or
  - \* the use is discontinued for a period of two (2) years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A(2) of the Planning and Environment Act, 1987 or to any combination of use, development or any of those circumstances requires the certification of a plan under the Subdivision Act, 1988 unless the permit contains a difference provision -
  - \* the use or development of any stage is to be taken to have started when the plan is certified; and
  - \* the permit expires if the plan is not certified within two (2) years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

## WHAT ABOUT APPEALS? – ADVICE FOR APPLICANTS

- \* The person who applied for the permit may appeal against any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal (VCAT), in which case no right of appeal exists.
- \* An appeal must be lodged within 60 days after the permit was issued, unless a Notice of Decision to grant a permit has been issued previously, in which case the appeal must be lodged within 60 days after the giving of that notice.
- \* An appeal is lodged with the Victorian Civil and Administrative Tribunal (VCAT).
- \* An appeal must be made on an Application for Review – Permit Applicant form which can be obtained from the VCAT website, <https://www.vcat.vic.gov.au/resources/document/permit-applicantspermit-holder-application-review-form>
- \* An appeal must state the grounds upon which it is based.
- \* An appeal must also be served on the Responsible Authority.
- \* Details about appeals and the fees payable can be obtained from the VCAT website [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au) or by telephoning VCAT on (03) 9628 9777.



# PLANNING COMPLIANCE

## Common planning compliance issues when developing land

### Fact sheet

#### Planning and building permit compliance

Building permit plans must match planning permit plans for development. While building permit plans will have more technical and structural detail than planning permit plans, they must be consistent with the endorsed planning permit plans.

Council will enforce compliance with the endorsed planning permit plans, even in cases where an error in the building permit plans causes an inconsistency.

#### Expired planning permits

You must pay careful attention to any conditions relating to the expiration of your planning permit. Once the permit expires you may no longer be able to lawfully commence or continue any building and works allowed by the permit.

You can apply to extend your planning permit by contacting Council's Planning Department. This must be done while the permit is still valid; within six months of the permit's expiry date if the development has not commenced or within 12 months of the permit's expiry date to complete the development.

#### Additional reports and documents

Most planning permits require you to submit additional documentation to Council prior to commencing the development allowed by the permit. These documents must be endorsed by Council by the times specified.

Typical examples of documents still required after the issue of a planning permit include revised plans, demolition method statements, arborist reports, sustainable design statements and acoustic reports.

Please pay careful attention to the conditions of your permit, as failure to comply with the requirements of these conditions can result in enforcement action being taken with no notice to you.

#### Demolition within Heritage Overlay sites

Heritage Overlays are used to protect sites that have heritage significance, and are contained within Council's planning schemes.

Much of the municipality is covered by a Heritage Overlay, and as such, many planning permits deal with partial demolition of protected heritage buildings.

It is essential that you take particular care not to exceed the extent of any demolition that has been allowed by the planning permit. You should ensure that you are familiar with the Demolition Method Statement and the plans indicating the extent of demolition permitted.

Council takes illegal demolition very seriously and offenders may be referred to the Magistrates Court for prosecution.

#### Landscaping

Landscaping must be completed in accordance with the permit, usually before or within a set period of time after the occupation of the building.





# PLANNING COMPLIANCE

## Tree protection

Some planning permits require you to take special measures to protect trees located on your land or on neighbouring properties.

If your planning permit includes conditions regarding tree protection, you must ensure you comply with these conditions. This often means, installing protective fencing around trees and maintaining the fence during construction.

You may also be required to employ the services of a qualified arborist to supervise areas of construction near protected trees.

## Building heights and setbacks

Floor levels and parapets must comply with the approved heights indicated on the endorsed plans. Over-height buildings are considered a serious breach and can be very expensive to rectify.

Any changes to the height of a building must be approved prior to carrying out any building works, even if these changes are required for technical reasons.

## Screening – windows and decks

All privacy screening must be installed as approved prior to occupation of the building. Screening must comply with the conditions outlined in the approved permit and plans including materials, heights and design.

Generally, windows that require screening must not be able to be opened below a height of 1.7metres above floor level.

Screening materials must not be altered from those approved without first gaining further planning approval for the alternative screening proposal.

## Domestic services

In heritage areas, domestic services including air conditioners, solar panels, heaters and hot water services require planning approval if visible from a street (front or side) or public park. A condition on the planning permit may also restrict domestic services except with further Council consent. Consideration should be given to any noise issues that may result for neighbours from the placing and operation of these types of units.

Any domestic services you intend to install must be shown on the endorsed plans forming part of your planning permit, including any proposed screening, prior to the unit's installation.

## Finishes on boundary walls

Finishes must be completed to an acceptable standard in accordance with the conditions of the planning permit, prior to occupation.

Brick boundary walls must have any excess mortar removed and the brick face cleaned with joints tooled to a consistent finish, prior to occupation of the building.

## For more information contact

Planning Compliance, St Kilda Town Hall  
99A Carlisle St, St Kilda, 3182

Ph: (03) 9209 6293

Email: [planningcompliance@portphillip.vic.gov.au](mailto:planningcompliance@portphillip.vic.gov.au)

# Executive Summary

**Table 1: Summary of PRSA Information**

<b>Auditor</b>	Steven Bos
<b>Auditor account number</b>	162837
<b>Name of person requesting PRSA</b>	David Breene
<b>Relationship of person requesting PRSA to site</b>	Owner
<b>Name of site owner</b>	David Breene
<b>Date of auditor engagement</b>	10 February 2022
<b>Completion date of the PRSA</b>	14 April 2022
<b>Reason for PRSA</b>	Planning system
<b>Elements of the environment assessed</b>	Land and water (surface and groundwater)
<b>Planning permit number or requirement detail if applicable</b>	1049/2017
<b>EPA Region</b>	Metro Melbourne
<b>Municipality</b>	City of Port Phillip
<b>Dominant Lot on title plan</b>	Lot 1 TP704654 in Certificate of Title Volume 3988 Folio 675
<b>Additional Lot on title plan(s)</b>	Not applicable
<b>Site/Premises name</b>	Not applicable
<b>Building/complex sub-unit/Lot No.</b>	Not applicable
<b>Street/Lot – Lower No.</b>	
<b>Street/Lot – Upper No</b>	179
<b>Street Name</b>	Gladstone
<b>Street Type</b>	Street
<b>Street suffix</b>	
<b>Suburb</b>	South Melbourne
<b>Postcode</b>	3205
<b>Site area (in square metres)</b>	195 m <sup>2</sup> (approximate)
<b>Plan of site/premises/location showing the PRSA site boundary attached</b>	Yes – refer Figure 1 provided in the figures section of this PRSA report
<b>Members and categories of support team utilised</b>	No expert support was utilised
<b>Further works or requirements</b>	No further works required.

**Table 1: Summary of PRSA Information**

<b>Nature and extent of continuing risk of harm</b>	<p>Based on the configuration of the Site as defined in the plans provided in Appendix G, the risk of harm is considered negligible.</p> <p>If the Site is used in a different way from what is described in the plans provided in Appendix G, then the conclusions in this report must be reviewed.</p> <p>There is the potential for naturally occurring acid sulfate soil to be present.</p>
<b>Outcome of the PRSA report</b>	The Auditor considered it unlikely that contaminated land is present, and no environmental audit is required.
<b>List any other ongoing management requirements if applicable</b>	No further ongoing management requirements.

**Table 2: Physical Site Information**

<b>Current EPA permissions and related permission ID if applicable</b>	None applicable.								
<b>Historical land use</b>	Residential								
<b>Current land use</b>	High-density residential development								
<b>Proposed land use</b>	High-density residential comprising one (1) multi-level (four-storey) residential building								
<b>Current land use zoning</b>	Capital City Zone (CCZ)								
<b>Proposed land use zoning</b>	Capital City Zone (CCZ)								
<b>Surrounding land use</b>	<table> <tr> <td>North</td><td> <p>Gladstone Street, followed by mixed commercial properties including:</p> <ul style="list-style-type: none"> <li>• Foxtrot café;</li> <li>• Technetics Data Recovery Pty; Digitales; and</li> <li>• Signwave South Melbourne.</li> </ul> <p>Approximately 114 m north was a tram line and a Yarra Tram Depot was located approximately 780 m northeast.</p> </td></tr> <tr> <td>South</td><td> <p>Adjacent the site was an unnamed laneway, followed by 'Counselling Appraisal Consultants' commercial office space and Health Legal Pty Ltd.</p> <p>Further south appeared to comprise mixed commercial properties.</p> </td></tr> <tr> <td>East</td><td> <p>Adjacent the Site was a vacant warehouse (with former signage 'South City automotive repairs', followed by A.L.S Automotive services. Further east was a mixed commercial and high-density residential property followed by commercial/light industrial properties, including Spencer Panels Prestige Repair Centre.</p> </td></tr> <tr> <td>West</td><td> <p>Adjacent the Site comprised residential properties.</p> </td></tr> </table>	North	<p>Gladstone Street, followed by mixed commercial properties including:</p> <ul style="list-style-type: none"> <li>• Foxtrot café;</li> <li>• Technetics Data Recovery Pty; Digitales; and</li> <li>• Signwave South Melbourne.</li> </ul> <p>Approximately 114 m north was a tram line and a Yarra Tram Depot was located approximately 780 m northeast.</p>	South	<p>Adjacent the site was an unnamed laneway, followed by 'Counselling Appraisal Consultants' commercial office space and Health Legal Pty Ltd.</p> <p>Further south appeared to comprise mixed commercial properties.</p>	East	<p>Adjacent the Site was a vacant warehouse (with former signage 'South City automotive repairs', followed by A.L.S Automotive services. Further east was a mixed commercial and high-density residential property followed by commercial/light industrial properties, including Spencer Panels Prestige Repair Centre.</p>	West	<p>Adjacent the Site comprised residential properties.</p>
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West	<p>Adjacent the Site comprised residential properties.</p>								
<b>Has EPA been notified about the site under Section 40 of the <i>Environment Protection Act 2017</i>?</b>	No								



**Table 2: Physical Site Information**

<b>Nearest surface water receptor – name</b>	Yarra River
<b>Nearest surface water receptor – direction</b>	North (approximately 870 m)
<b>Site aquifer formation</b>	Terrace alluvium and Holocene coastal dune deposits
<b>Groundwater Segment</b>	Segment D (anticipated)

