

Application to AMEND a Planning Permit

If you need help to complete this form, read [How to Complete the Application to Amend a Planning Permit form](#).

⚠ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any concerns, please contact Council's planning department.

⚠ This form cannot be used to amend a permit issued at the direction of VCAT.

⚠ Questions marked with an asterisk (*) are mandatory and must be completed.

Planning Enquiries
Phone: 03 9205 2200
Web: <http://www.hume.vic.gov.au>

The Land

① Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:	St. No.:	St. Name:
	75	Hamilton Street
Suburb/Locality: Craigieburn VIC		Postcode: 3064

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title.

A Lot No.: 651 Lodged Plan Title Plan Plan of Subdivision No.: 54592

OR

B Crown Allotment No.: Section No.:

Parish/Township Name:

Planning Permit Details

② What permit is being amended? *

Planning Permit No.: P25480

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The Amended Proposal

⚠ You must give full details of the amendment being applied for. Insufficient or unclear information will delay your application.

③ What is the amendment being applied for? *

- Indicate the type of changes proposed to the permit.
- List details of the proposed changes.

If the space provided is insufficient, attach a separate sheet.

This application seeks to amend:

what the permit allows plans endorsed under the permit

current conditions of the permit other documents endorsed under the permit

Details:

To extend the redline area to the rear outdoor dining area and for the construction of a verandah

📎 Provide plans clearly identifying all proposed changes to the endorsed plans, together with; any information required by the planning scheme, requested by Council or outlined in a Council checklist; and if required, include a description of the likely effect of the proposal.

Development Cost

④ Estimate cost of development *

If the permit allows **development**, estimate the cost difference between the development allowed by the permit and the development to be allowed by the amended permit.

Cost of proposed amended development	Cost of the permitted development	Cost difference (+ or -):
\$ 10000	\$ 0	\$ 10000

Insert 'NA' if no development is proposed by the permit (eg. change of use, subdivision, removal of covenant)

⚠ You may be required to verify this estimate.

Existing Conditions

5 Describe how the land is used and developed now *

eg. vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

Have the conditions of the land changed since the time of the original permit application? Yes No

If yes, please provide details of the existing conditions.

Provide a plan of the existing conditions if the conditions have changed since the time of the original permit application. Photos are also helpful.

Title Information

6 Encumbrances on title *

If you need help about the title, read:

[How to Complete the Application to Amend a Planning Permit Form](#)

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

Yes. (If 'yes' contact Council for advice on how to proceed before continuing with this application.)

No

Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. (The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', eg. restrictive covenants.)

Applicant and Owner Details

7 Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Please provide at least one contact phone number *

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:
Title: First Name: Long Surname: Pham

Organisation (if applicable): WoolShed consultants Pty Ltd

Postal Address:

If it is a P.O. Box, enter the details here:

Unit No.:

St. No.: 42

St. Name: Alfred Street

Suburb/Locality: Noble Park
State: VIC Postcode: 3174

Contact person's details *
Name: (Same as applicant (if so, go to 'contact information'))

Title:

First Name:

Surname:

Organisation (if applicable):

Postal Address:

If it is a P.O. Box, enter the details here:

Unit No.:

St. No.:

St. Name:

Suburb/Locality:

State:

Postcode:

Contact information

Business Phone:

Email: admin@wsconsultants.com.au

Mobile Phone: 0413 569 539

Fax:

Name:

Same as applicant

[Redacted Signature Area]


Owner's Signature (Optional):

Date:

dd / mm / yyyy

Declaration

8 This form must be signed by the applicant *

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; that all the information in this application is true and correct; that all changes to the permit and plan have been listed as part of the amendment proposal at Question 3 of this form; and that the owner (if not myself) has been notified of the permit application.

Signature:



Date: 16/09/2024
dd / mm / yyyy

Need help with the Application?

If you need help to complete this form, read [How to complete the Application to Amend a Planning Permit Form](#) or contact Council's planning department. General information about the planning process is available at <http://www.dpcd.vic.gov.au/planning>

Contact Council's planning department to discuss the specific requirements for this application and obtain a checklist. Insufficient or unclear information may delay your application.

9 Has there been a pre-application meeting with a council planning officer?

No Yes

If 'yes', with whom?:


Date: dd / mm / yyyy

Checklist

10 Have you:

Filled in the form completely?

Paid or included the application fee?

 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

Attached all necessary supporting information and documents?

Completed the relevant council planning permit checklist?

Signed the declaration (section 8)?

Lodgement

Lodge the completed and signed form, the fee payment and all documents with:

Hume City Council
PO Box 119 Dallas VIC 3047

1079 Pascoe Vale Road, Broadmeadows VIC 3047

Contact information:

Telephone: 03 9205 2200

Fax: 03 9309 0109

Email: email@hume.vic.gov.au

DX: 94718

Translation: (03) 9205 2200 for connection to Hume Link's multilingual telephone information service

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Date: 16/08/2024

To: Planning Department
Hume City Council
1079 Pascoe Vale Road
Broadmeadows, VIC 3047

Re: Planning Application Submission for Outdoor Dining Area and Liquor License Amendment at Royal Heaven Indian Restaurant, 75 Hamilton Street, Craigieburn, VIC 3064

Dear Sir/Madam,

I am writing to submit a planning application on behalf of Royal Heaven Indian Restaurant, located at 75 Hamilton Street, Craigieburn. Our restaurant currently operates with an existing liquor license, and we seek approval to extend our operations to include a new outdoor dining area at the rear of our premises, with a capacity for 25 patrons. We also wish to extend our liquor license to cover this new outdoor area.

Proposal Overview

Our proposal is to enhance the dining experience for our patrons by creating an inviting outdoor space for private functions and general dining. This area will be open daily from 11 am to 11 pm, providing both lunch and dinner services. We believe this addition will significantly benefit our business and the local community by offering a unique and enjoyable dining atmosphere.

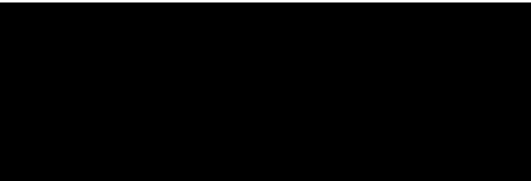
Key Details of the Proposal:

- **Outdoor Dining Area:** The proposed space at the rear of the restaurant will comfortably seat 25 patrons, with tables, chairs, and appropriate shading. The area will be designed to meet all accessibility standards and ensure patron safety.
- **Liquor License Amendment:** We request to extend our current liquor license to include the new outdoor area, ensuring that alcohol service is managed in compliance with Responsible Service of Alcohol (RSA) guidelines.
- **Operation Hours:** The outdoor dining area will operate from 11 am to 11 pm, aligning with the existing restaurant hours.
- **Noise and Privacy Management:** We have planned measures to manage noise levels and ensure privacy for both our patrons and neighboring properties, including potential sound barriers and thoughtful layout planning.

Conclusion

We believe this proposal will positively contribute to the local community by enhancing the dining options available in Craigieburn and supporting local business growth. We respectfully request that the council consider our application favorably.

Thank you for your time and consideration. We look forward to your feedback and hope to move forward with this exciting development.



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16 October 2024

To: Sharon Inkster
Town Planner
Hume City Council
9205 2200

Dear Ms. Inkster,

RE: Application to Amend Planning Permit P25480.01 – 75 Hamilton St, Craigieburn VIC 3064

In response to your request for further information regarding the above-referenced planning permit, we provide the following details to address the points raised in your correspondence dated 16 October 2024:

Item A:

We seek an amendment to condition 3 of the permit P25480.01 to accommodate the proposed additional seating of 25 patrons in the outdoor dining area. This will result in a total of 80 patrons in the indoor dining area and 25 patrons in the outdoor dining area.

Item B:

We also seek to amend the operating hours of the outdoor dining area, limiting its operation to 11:00 p.m. We propose that this limitation apply every day of the week.

04:00pm-11:00pm (Monday-Friday) and
11:00am- 12:00am (Saturday and Sunday)

Item C:

Please find the updated plans attached, including scaled drawings and elevations for the proposed verandah, as requested.

Item D:

Also attached is an acoustic report prepared by our office. The report identifies the necessary noise mitigation measures and demonstrates compliance with the relevant noise controls, particularly concerning the impact on nearby residential properties.

We trust that the attached information satisfies the requirements outlined in your letter. Should you require any further clarification, please do not hesitate to contact us.

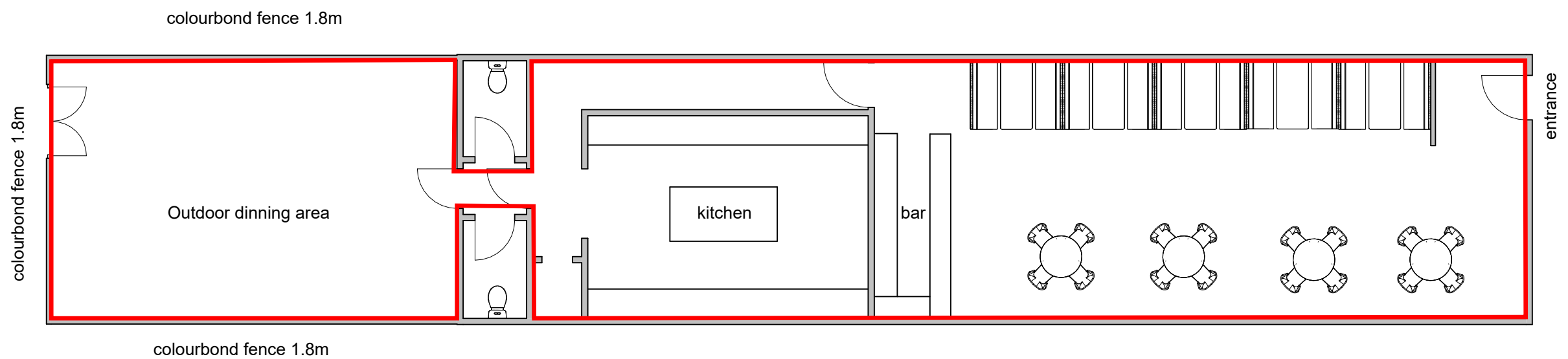
Thank you for your consideration of this application.

Yours sincerely,

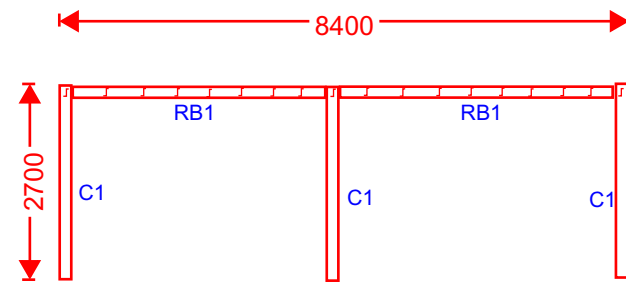
Long Pham

Woolshed Consultants Pty Lt

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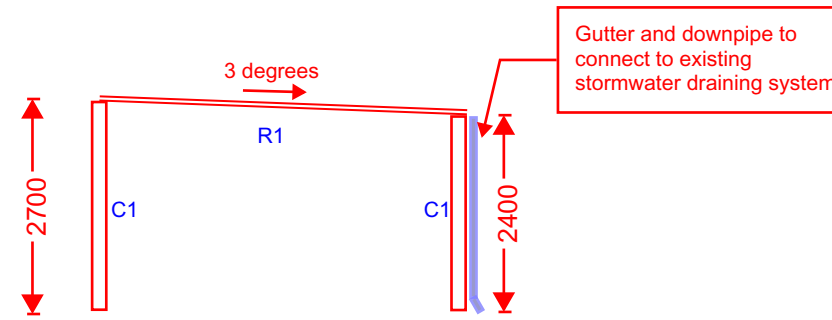


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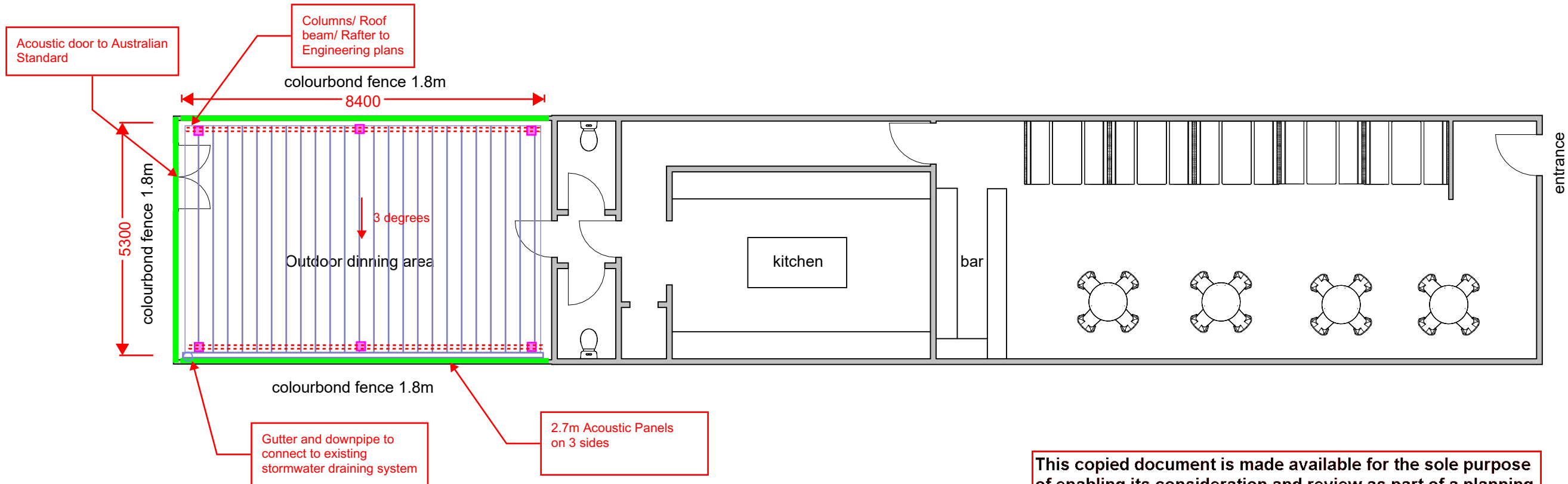
NORTH ELEVATION

Note: 2.7m high Acoustic Panels are not shown for clarity.



WEST ELEVATION

Note: 2.7m high Acoustic Panels are not shown for clarity.



PROPOSED VERANDAH OVER OUTDOOR DINING AREA

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Acoustic Report

Project Title: Outdoor Dining Area Acoustic Assessment

Location: 75 Hamilton St, Craigieburn VIC 3064

Prepared by: Woolshed Consultants Pty Ltd

Date: 21/10/2024

1. Introduction

This acoustic report has been prepared to assess the potential noise impact of the proposed outdoor dining area at 75 Hamilton St, Craigieburn VIC 3064. The focus of this report is to outline the considerations and mitigation measures required to minimize noise impact on nearby residential properties, given the mixed-use nature of the area.

No formal noise measurements were conducted as part of this assessment; instead, the report outlines strategies to control noise emissions.

2. Site Description

The subject site is located at 75 Hamilton St, Craigieburn, within a mixed-use area that includes both commercial and residential properties. The residential properties are located at the rear of the site, separated by a 4.5-meter alleyway. The outdoor dining area is proposed to accommodate 25 patrons, with operating hours limited to 11:00 p.m.

3. Objective

The objective of this report is to outline noise control considerations for the outdoor dining area, ensuring minimal disturbance to neighboring residential properties. The report recommends mitigation measures to manage potential noise impacts, focusing on patron activity since no background music or amplified sound will be used.

4. Noise Sources Considered

The key noise sources considered for the outdoor dining area include:

- **Patron Conversations:** It is assumed that up to 25 patrons will be engaging in conversations at moderate levels (typically around 65 dB at 1 meter).

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- **No Amplified Sound:** There will be no background music or amplified speakers installed in the outdoor dining area, further limiting potential noise emissions.
-

5. Noise Criteria

The noise levels assessed in this report are based on the following standards and guidelines:

- **EPA Victoria SEPP N-1:** Control of noise from industry, commerce, and trade.
 - **EPA Victoria SEPP N-2:** Control of music noise from public premises.
 - **Australian Standard AS 2107-2016:** Recommended internal noise levels for residential areas.
-

6. Noise Impact Considerations

Given the mixed-use nature of the site, where both commercial and residential properties coexist, the primary noise concern is related to patron behavior during outdoor dining. In the absence of amplified sound, patron conversations become the main focus of noise management. Additionally, the proximity of residential properties at the rear, across the 4.5-meter alleyway, requires careful consideration of sound attenuation measures to ensure compliance with local noise regulations.

7. Noise Mitigation Measures

To minimize the impact of noise from the outdoor dining area on nearby residential properties, the following mitigation measures are recommended:

- **Acoustic Barriers:** A 2.7-meter-high acoustic panel will be installed around the perimeter of the outdoor dining area, matching the height of the proposed verandah. This barrier will be placed along the three boundary sides to block and absorb sound generated by patrons. At a distance of 4.5 meters, the sound level from 25 patrons engaging in conversation at moderate levels (65 dB at 1 meter) is estimated to reduce to approximately 51.9 dB. A typical 2.7-meter acoustic barrier can reduce sound levels by around 10 to 15 dB.
- **Compliance with Noise Criteria:** The predicted noise levels, when combined with the recommended mitigation measures, are expected to meet the following criteria:
 - **SEPP N-1:** Noise levels at the nearest residential property are predicted to remain below the allowable nighttime limit of 45 dB(A) with mitigation measures in place.

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- **No Speaker Installation:** No speakers or amplified sound systems will be installed in the outdoor dining area, limiting noise generation to just patron conversations.
 - **Rear Door Access:** The rear door of the dining area will be used for emergency evacuation only and will not serve as a regular entrance or exit. This will reduce the chance of noise traveling toward nearby residential properties.
 - **Patron Behavior Management:** House rules will be enforced to remind patrons to minimize noise, especially after 9:00 p.m. Signage will be displayed prominently within the outdoor dining area.
 - **Operational Hours:** The outdoor dining area will cease operation at 11:00 p.m. each night, reducing the potential for noise disturbances during late-night hours.
-

8. Conclusion

This acoustic report outlines the proposed considerations and measures for mitigating noise from the outdoor dining area at 75 Hamilton St, Craigieburn. While no formal noise measurements have been conducted, the recommended measures, including the installation of acoustic barriers, restrictions on sound sources, and behavioral management of patrons, are expected to sufficiently manage noise levels in accordance with local guidelines.

These mitigation strategies will help ensure that the operation of the outdoor dining area has minimal impact on the amenity of nearby residential properties.

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**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 2

VOLUME 08328 FOLIO 772

Security no : 124118335138D

Produced 17/09/2024 08:15 PM

LAND DESCRIPTION

Lot 651 on Plan of Subdivision 054592.
PARENT TITLE Volume 07993 Folio 138
Created by instrument B166400 19/12/1961

REGISTERED PROPRIETOR

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AK492276Y 30/07/2013
SECURE FUNDING PTY LTD

CAVEAT AK523713L 14/08/2013

Caveator

LI SENG CHUNG

Grounds of Claim

CHARGE CONTAINED IN AN AGREEMENT WITH THE FOLLOWING PARTIES AND DATE

Parties

THE REGISTERED PROPRIETOR(S)

Date

05/02/2007

Estate or Interest

INTEREST AS CHARGE

Prohibition

ABSOLUTELY

Lodged by

GLAVAS LAU LAWYERS

Notices to

GLAVAS LAU LAWYERS of 684-686 MT ALEXANDER ROAD MOONEE PONDS VIC 3039

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Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP054592 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 75 HAMILTON STREET CRAIGIEBURN VIC 3064

**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 2 of 2

DOCUMENT END

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Document Type	Instrument
Document Identification	AK523713L
Number of Pages (excluding this cover sheet)	1
Document Assembled	17/09/2024 20:15

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CAVEAT

Section 89 Transfer of Land Act 1958

Lodged by:

Name: **GLAVAS LAU LAWYERS**

Address: **684-686 Mt. Alexander Road**

Phone: **Tel: (03) 9370 1155 Fax: (03) 9370 9778**

Ref: **DX 32171 Moonee Ponds**

Customer Code: **0529A**

Privacy Collection Stat
The information from thi
and is used for the purpo
Registers and indexes in

AK523713L

14/08/2013 \$79.60 89 ority


The caveator claims the estate or interest specified in the land described on the grounds set out and forbids the registration of any person as proprietor and of any instrument affecting the estate or interest to the extent specified.

Land: *(title, mortgage, charge or lease)*
Volume 8328 Folio 772

Caveator: *(full name and address)*
LI SENG CHUNG of 1 Lee Street, Craigieburn 3064

Estate or Interest claimed:
An interest as chargee

Grounds of Claim:
As Chargee pursuant to an agreement dated 5 February 2007 made between the Caveator as Chargee and the registered proprietor as Chargor

Extent of prohibition: *(if not ABSOLUTELY delete and insert desired text)*
Absolutely

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Address in Victoria for service of notice: *(include postcode)*
C/- Glavas Lau Lawyers,
684-686 Mt. Alexander Road, Moonee Ponds 3039

Dated: **12 August 2013**
Signature of caveator

or

Signature of current practitioner
under the *Legal Profession Act 2004*

or

Signature of Agent



DOLLY KUNG GUOI LAU B.EC., LLB
684-686 Mt. Alexander Road, Moonee Ponds 3039
An Australian legal practitioner within the
meaning of the *Legal Profession Act 2004*

Approval No. 15661209A

Duty use only

C

Page 1 of 1

Signed:

Cust Code:



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Document Type	Plan
Document Identification	LP054592
Number of Pages (excluding this cover sheet)	12
Document Assembled	17/09/2024 20:15

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PLAN OF SUBDIVISION PART OF CROWN ALLOTMENT A - SEC 23 PARISH OF YUROKE

COUNTY OF BOURKE
VOL.7993 FOL.138
DEPTH LIMITATION: 50 FEET

Measurements are in Feet & Inches

Conversion Factor
FEET X 0.3048 = METRES

LP 54592

EDITION 2

PLAN MAY BE LODGED 20-10-61

11 SHEETS
SHEET 1

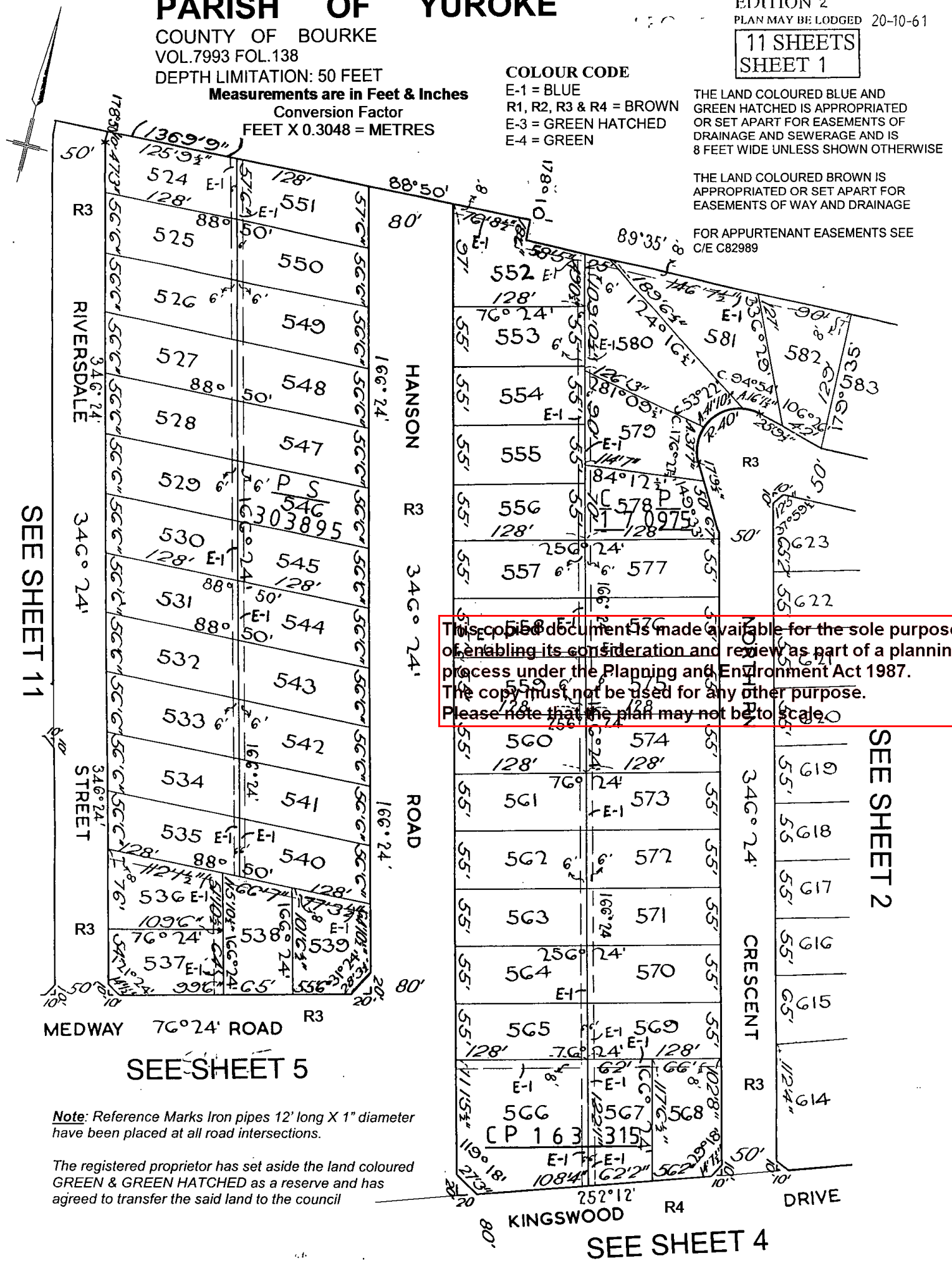
COLOUR CODE

- E-1 = BLUE
- R1, R2, R3 & R4 = BROWN
- E-3 = GREEN HATCHED
- E-4 = GREEN

THE LAND COLOURED BLUE AND GREEN HATCHED IS APPROPRIATED OR SET APART FOR EASEMENTS OF DRAINAGE AND SEWERAGE AND IS 8 FEET WIDE UNLESS SHOWN OTHERWISE

THE LAND COLOURED BROWN IS APPROPRIATED OR SET APART FOR EASEMENTS OF WAY AND DRAINAGE

FOR APPURTENANT EASEMENTS SEE C/E C82989



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SEE SHEET 11

SEE SHEET 2

SEE SHEET 5

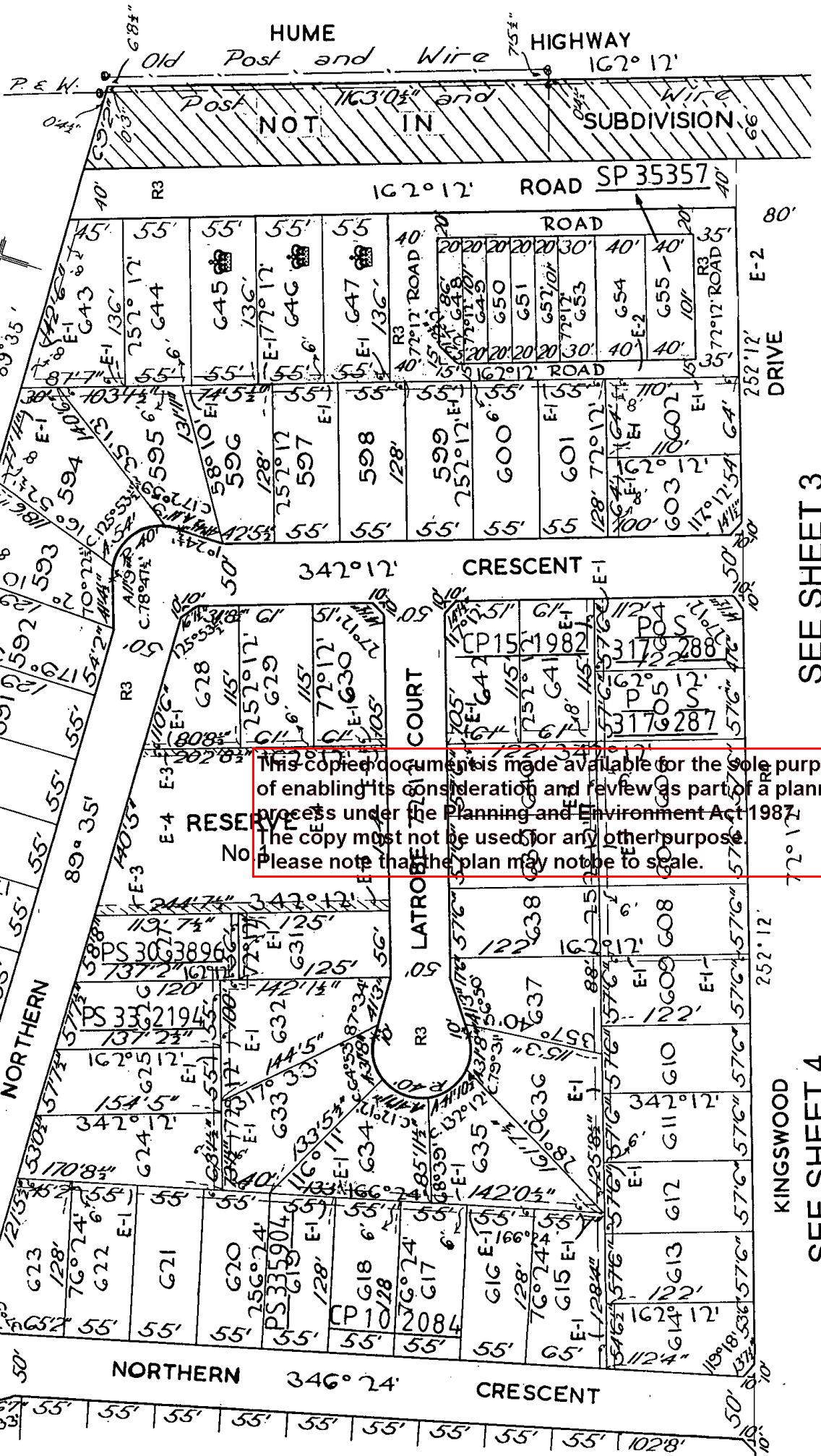
SEE SHEET 4

Note: Reference Marks Iron pipes 12' long X 1" diameter have been placed at all road intersections.

The registered proprietor has set aside the land coloured GREEN & GREEN HATCHED as a reserve and has agreed to transfer the said land to the council

LP 54592

11 SHEETS
SHEET 2



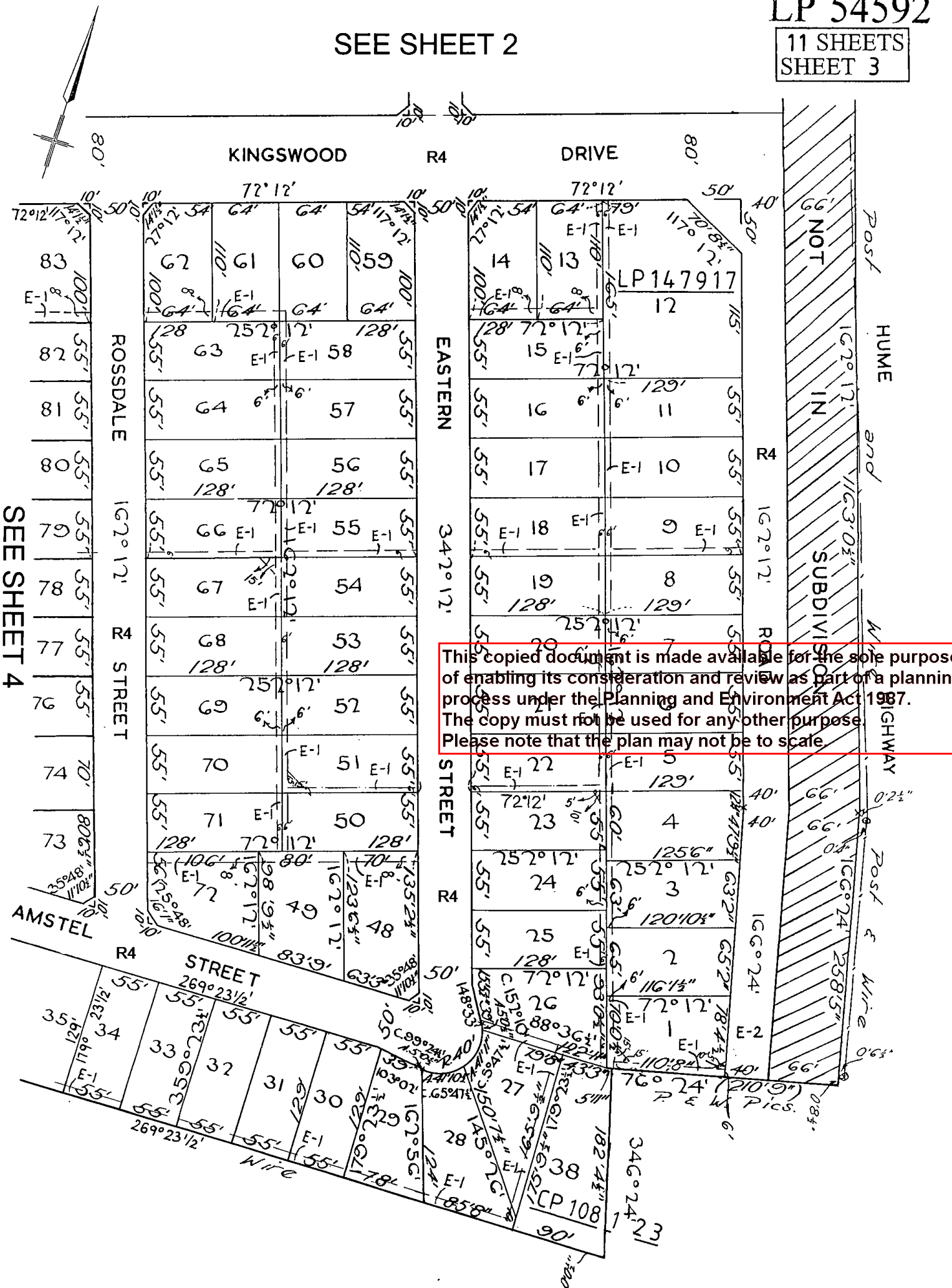
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SEE SHEET 3

SEE SHEET 4

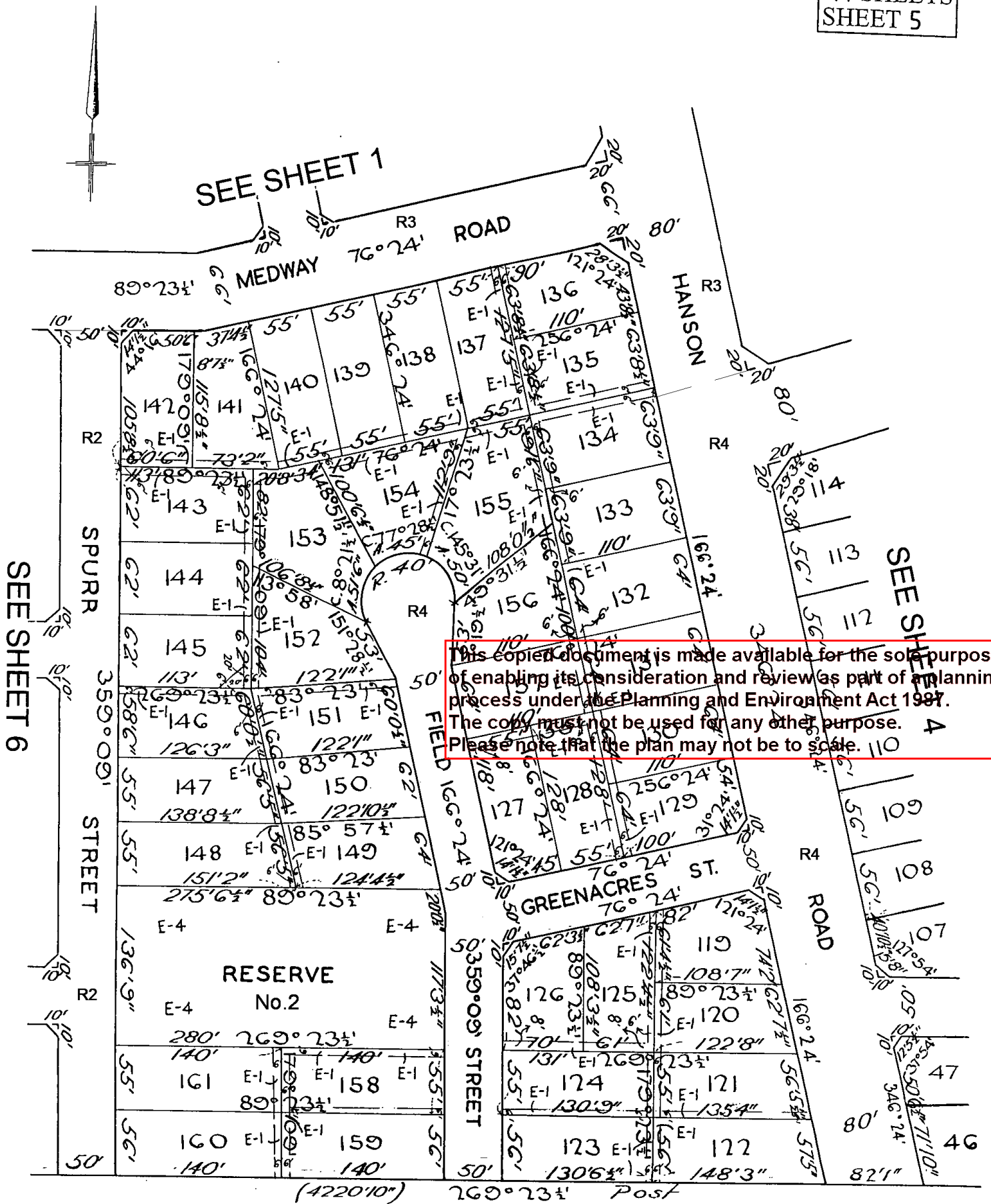
SEE SHEET 1

SEE SHEET 2



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SEE SHEET 4



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SEE SHEET 10

SEE SHEET 11

LP 54592

11 SHEETS
SHEET 6

SEE SHEET 7

SEE SHEET 5

ROAD

MEDWAY

R1

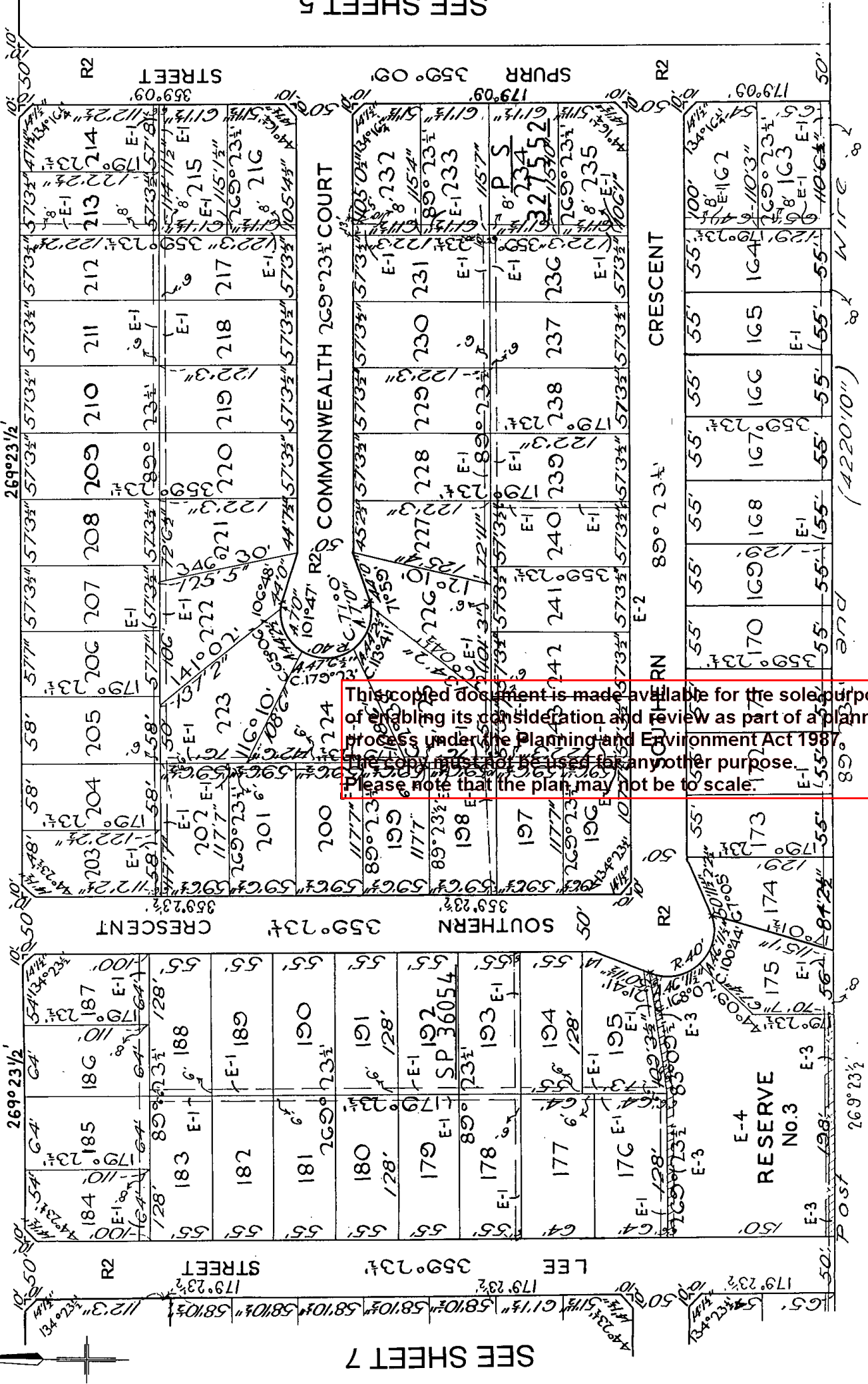
R2

R2

R2

R2

R2



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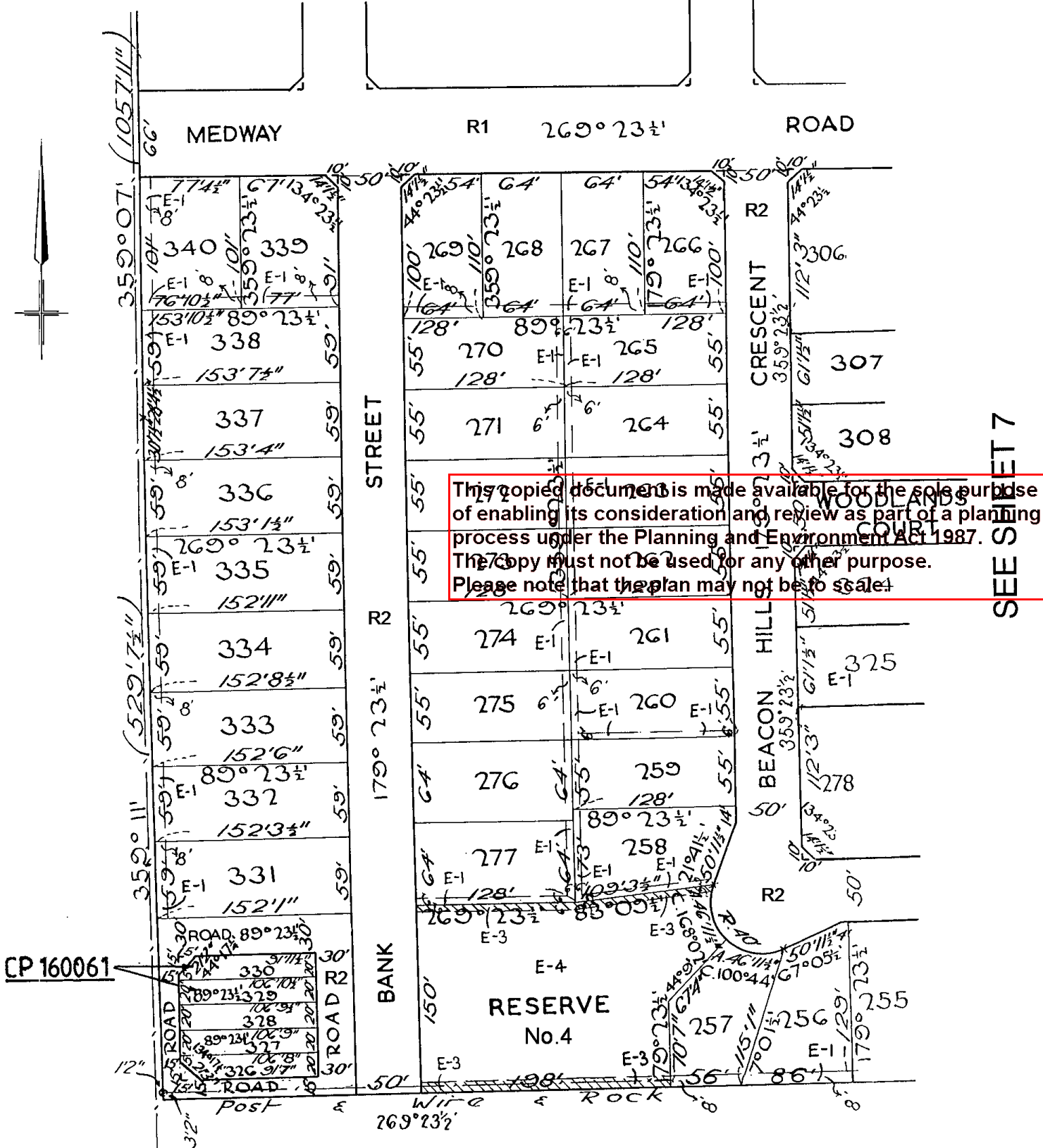
Wire

and

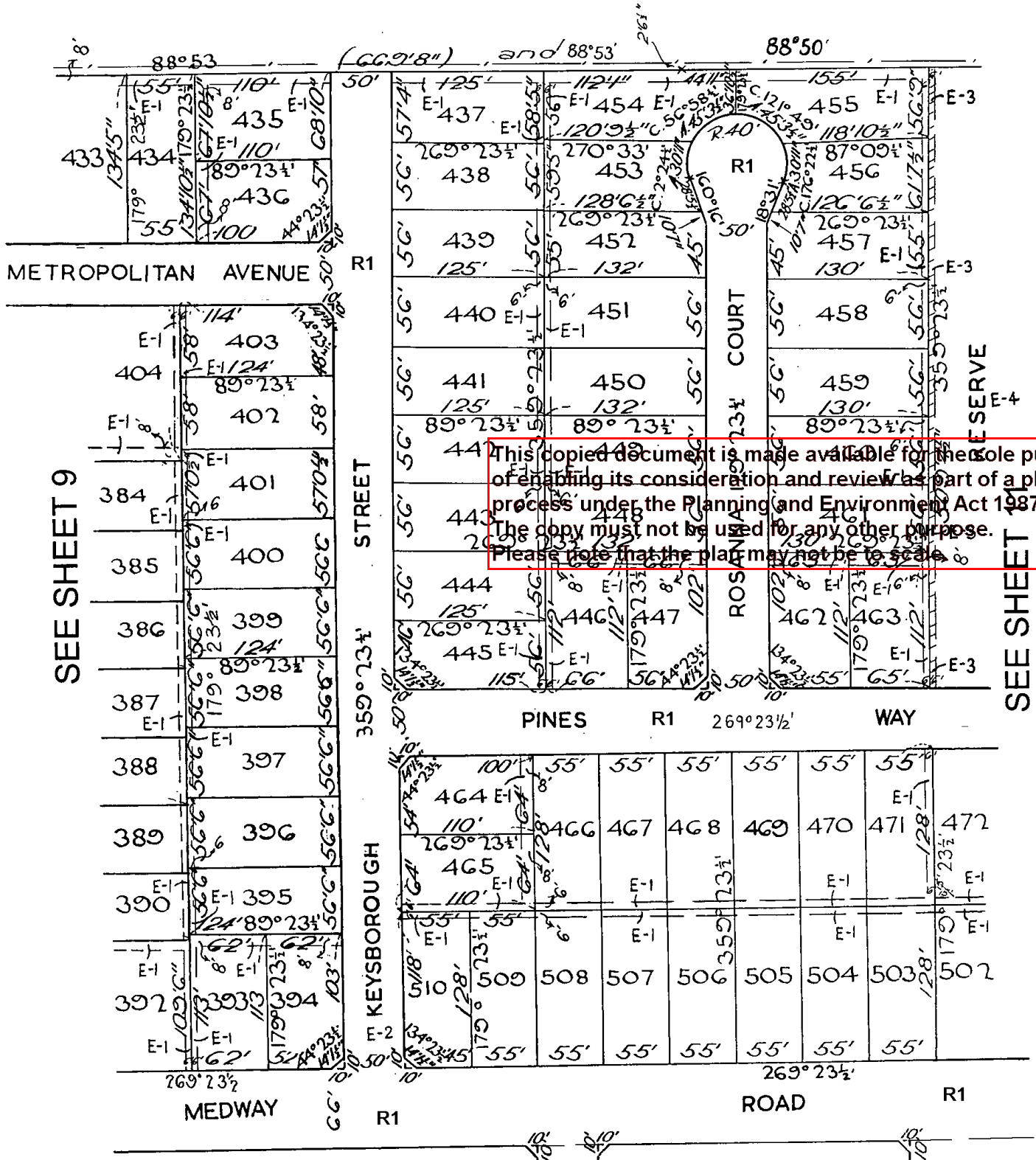
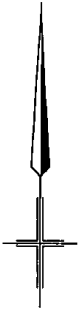
Post

Post

SEE SHEET 9



SEE SHEET 7



SEE SHEET 9

SEE SHEET 11

SEE SHEET 7

SEE SHEET 6

MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER
LP54592

AFFECTED LAND / PARCEL	LAND / PARCEL / IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
LOT 645		TRANSFER TO CROWN	G788484			2	M.L.B
LOTS 28 & 29		RECTIFICATION	SB12159B			2	M.L.B
LOTS 59 & 60		EASEMENT REMOVED	AP 2008/SEC. 73			2	M.L.B
LOTS 646 & 647		TRANSFER TO CROWN	B412330			2	M.L.B

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