



Planning Enquiries
Phone: (03) 9688 0200
Web: www.maribyrnong.vic.gov.au

Office Use Only Application No.:

Date Lodged: / /

Application to AMEND a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this 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 questions, please contact Council's planning department.

This form cannot be used to:

- amend a permit or part of a permit if the Victorian Civil and Administrative Tribunal (VCAT) has directed under section 85 of the Act that the responsible authority must not amend that permit or that part of the permit (as the case requires); or
- amend a permit issued by the Minister under Division 6 of Part 4 of the Act (these applications must be made to the Minister under section 971 of the Act).

Questions marked with an asterisk (*) must be completed.

Click for further information.

[Clear Form](#)

The Land

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

Street Address *

Unit No.:	St. No.: 128	St. Name: ROBERTS STREET
Suburb/Locality: YARRAVILLE		Postcode: 3013

Formal Land Description *

Complete either A or B.

This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A	Lot No.: 1	<input type="radio"/> Lodged Plan	<input type="radio"/> Title Plan	<input type="radio"/> Plan of Subdivision	No.:
OR					
B	Crown Allotment No.:		Section No.:		
Parish/Township Name:					

Planning Permit Details

What permit is being amended?*

Planning Permit No.: TP 154 / 2013 (2)

The Amended Proposal

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

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:

- | | |
|--|--|
| <input checked="" type="checkbox"/> What the permit allows | <input type="checkbox"/> Plans endorsed under the permit |
| <input checked="" type="checkbox"/> Current conditions of the permit | <input type="checkbox"/> Other documents endorsed under the permit |

Details:

WE ARE LOOKING TO EXTEND OUR TRADING HOURS
TO INCLUDE TWO(2) NIGHT SERVICES, FROM 1730 - 2100 HOURS

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

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 -):
\$ NA	-	\$ NA	=	\$ NA

Insert 'NA' if no development is proposed by the permit.

 You may be required to verify this estimate.


Existing Conditions

Describe how the land is used and developed now *

For example, 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


Encumbrances on title *

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', for example, restrictive covenants.

Applicant and Owner Details **I**

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

Applicant *

The person who wants the permit.

Please provide at least one contact phone number *

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

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: MR	First Name: JULIEN	Surname: TAY
Organisation (if applicable): MASAK MASAK PTY LTD		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.: 128	St. No.:	St. Name: ROBERTS STREET
Suburb/Locality: YARRAVILLE		State: VIC Postcode: 3013

Contact information for applicant OR contact person below	
Business phone:	Email: julien@masak.masak.com.au
Mobile phone: 0412 192 898	Fax:

Contact person's details* Same as applicant <input type="checkbox"/>		
Name:		
Title:	First Name:	Surname:
Organisation (if applicable):		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.:	St. No.:	St. Name:
Suburb/Locality:		State: Postcode:

Name: Same as applicant <input type="checkbox"/>		
Title: MR	First Name: TRUONG QUANG	Surname: PHAM
Organisation (if applicable):		
Postal Address: <small>If it is a P.O. Box, enter the details here:</small>		
Unit No.: 601	St. No.: 191	St. Name: POWELL STREET POWLETT STREET
Suburb/Locality: EAST MELBOURNE		State: VIC Postcode: 3002
Owner's Signature (Optional):		Date: 10/07/2025 <small>day / month / year</small>

Declaration **I**

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 amended proposal and that the owner (if not myself) has been notified of the permit application.

Signature: 	Date: 10/07/2025 <small>day / month / year</small>
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Need help with the Application? **I**

If you need help to complete this form, read More Information at the end of this form or contact Council's planning department. General information about the planning process is available at planning.vic.gov.au

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.

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

<input type="radio"/> No <input type="radio"/> Yes	If 'Yes', with whom?:
Date: <small>day / month / year</small>	



AMENDED PLANNING PERMIT

Permit No: TP154/2013-A (V0)
Planning Scheme: Maribyrnong Planning Scheme
Responsible Authority: City of Maribyrnong

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Address of the land: 128 Roberts St, Yarraville

The permit allows:

To use and develop the land for the purpose of a food and drink premises (cafe), buildings and works, and to reduce (to zero) the car parking requirement

The following conditions apply to this permit:

- 1) The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 2) The use must be managed so that the amenity of the area is not detrimentally affected, through the:-
 - (a) Transport of materials, goods or commodities to or from the land.
 - (b) Appearance of any building, works or materials.
 - (c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - (d) Harbourage and/or presence of vermin.

All to the satisfaction of the responsible authority.

- 3) No more than four (4) staff are allowed on the premises at any one time except with the written consent of the Responsible Authority.
- 4) No more than 60 seats are to be made available at any one time to patrons on the premises except with the written consent of the Responsible Authority.
- 5) The use may operate only between the hours of:-
7 a.m. and 4 p.m. Monday to Sunday

Except with the written permission of the Responsible Authority

- 6) Cooking Fumes from any commercial food business must be treated within the mechanical exhaust system in accordance with the requirements of Australian Standard 1668.2 -2002, to ensure that any discharge does not create a nuisance (as defined under the Public Health and Well Being Act 2008). The method of treatment must be designed, installed, operated and maintained to the satisfaction of the Responsible Authority.
- 7) Noise levels emanating from the premises must not exceed the noise levels as determined by the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1.

Date Permit Amended **31 December 2013**

Date Permit Issued **17 July 2013**

Signature for the
Responsible Authority

Note:

Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.



Maribyrnong
CITY COUNCIL

AMENDED PLANNING PERMIT

Permit No: TP154/2013-A (V0)
Planning Scheme: Maribyrnong Planning Scheme
Responsible Authority: City of Maribyrnong

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- 8) The mechanical exhaust system is required to comply with AS 1668.2 and the Public Health & Wellbeing Act 2008 so nuisance conditions do not occur.
- 9) This permit will expire if:
- The development is not started within two years of the date of this permit.
 - The development is not completed within four years of the date of this permit.
 - The use does not start within two years after the completion of the development.
 - The use is discontinued for a period of two years.

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 development/use 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.

Note:

- The cool room and dry rooms will be required to be located in an enclosed area. The Applicant should submit a business proposal to Council's Environmental Health Section to obtain advice in relation to applying and meeting the requirements for Food Act Registration.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment
31 December 2013	<ul style="list-style-type: none">• Condition 4 amended to increase the seating capacity by 20 seats (total 60 seats)• Endorsed Plans amended to show access to coolroom through existing opening and revised bin wash area layout.
	<ul style="list-style-type: none">• Condition 1 amended to insert the words "and development" (section 71 correction).• Condition 9 amended to insert timing condition as it relates to development (section 71 correction)

Date Permit Amended **31 December 2013**

Date Permit Issued **17 July 2013**

Signature for the
Responsible Authority

Note:

Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

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 required 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 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 years after the issue of the permit, or
 - the use is discontinued for a period of two 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 specified 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 years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two 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 different 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 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?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case, no right of review exists.
- An application for review 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 application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- An application for review must also be served on the Responsible Authority.
- Details about application for review and the fees payable can be obtained from Victorian Civil and Administrative Tribunal.

To whom it may concern,

Our cafe, Masak Masak, on 128 Roberts Street, Yarraville Victoria 3013, is looking to apply for an extension of trading hours.

- **Proposed Changes to Planning Permit Conditions**

We are looking to extend our trading hours to two extra nights a week, Thursday and Friday. There will be no changes to staff (4) and patron (60) capacity.

- **Proposed Hours of Operation**

The new proposed hours of operation are:
Thursday and Friday nights 05:30pm - 09:00pm.

- **Confirmation of whether any other building and works or changes to the current endorsed plans are proposed**

There will be no building works or changes to the current endorsed plans.

- **Any potential adverse amenity impacts**

Our aim is to provide a convenient dinner option for locals in the area two nights a week. We are looking to seat patrons only in the front section of the cafe, with reservations highly recommended. There will be low noise impact on the street as we will only operate with indoor seating, with no live music. There will only be dine-in service and no takeaway, in order to ensure minimal impact on available street parking for neighbouring residences.

Dinner service will commence at 5:30pm, with last orders being taken at 8:30pm to ensure that customers finish and leave the premises at a reasonable and respectful time.

Please let me know if there is further information required from my end. Thank you for your time and help in this matter.

With kind regards,

Julien Tay

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

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VOLUME 08806 FOLIO 546

Security no : 124126747911K
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LAND DESCRIPTION

Lot 1 on Plan of Subdivision 030307.
PARENT TITLE Volume 08000 Folio 037
Created by instrument D551502 05/11/1969

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
TRUONG QUANG PHAM of 1 TORRESDALE COURT TOORAK VIC 3142
AE401593C 07/06/2006

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AN398445B 20/12/2016
SUNCORP-METWAY LTD

COVENANT 1423832

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 LP030307 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: 128 ROBERTS STREET YARRAVILLE VIC 3013

ADMINISTRATIVE NOTICES

NIL

eCT Control 16548H SUNCORP
Effective from 23/02/2018

DOCUMENT END

Imaged Document Cover Sheet

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EDITION 2

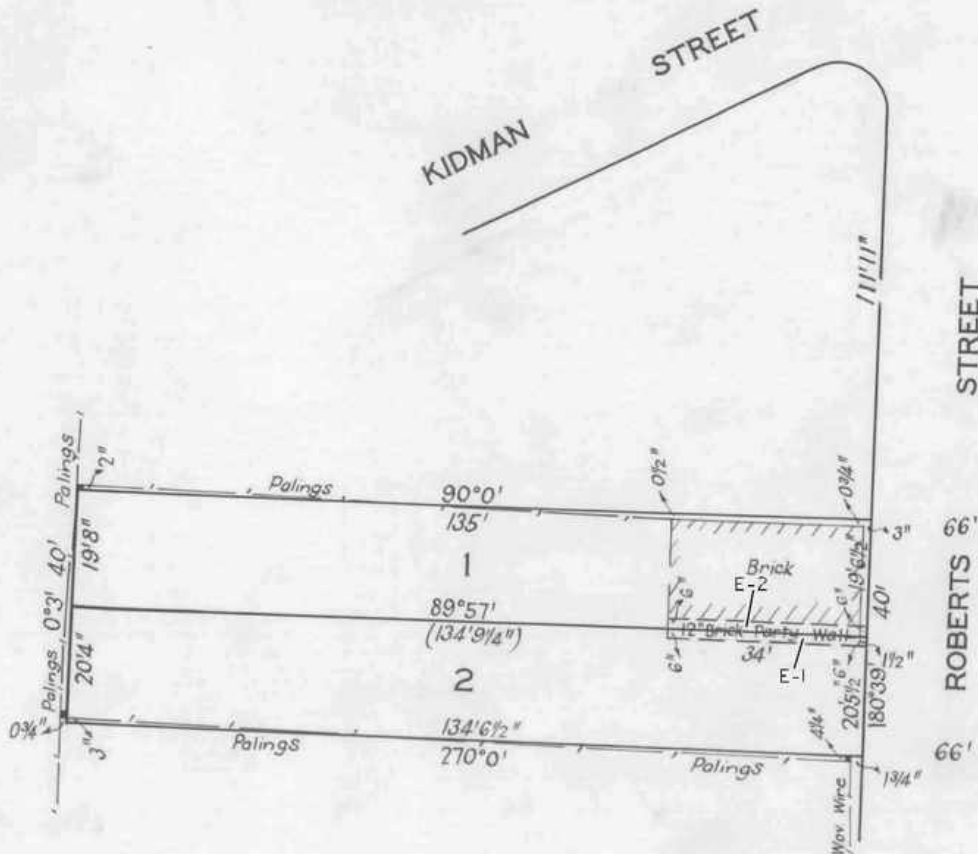


SYLP030307-1-4

PLAN OF SUBDIVISION
OF PART OF CROWN ALLOTMENT 7 PORTION H SECTION 9
PARISH OF CUT PAW PAW

COUNTY OF BOURKE

SCALE OF FEET



COLOUR CODE

E-1= BLUE

E-2= YELLOW

64
21

REF. 11982

LP 30307

FOR APPROPRIATIONS ETC.
SEE BACK HEREOF

LP 30307

POSTED
CHECKED
