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NOTICE OF AN APPLICATION FOR PLANNING PERMIT 1987. The document must not be used for any purpose which may breach any copyright.

The land affected by the application is located at:	13 Princes Highway CANN RIVER VIC 3890 CA: 1A Sec: 4			
The application is for a permit to:	Use of the land for food and drink premises (Take away cafe)			
A permit is required under the following clauses of the planning scheme:				
Planning Scheme Clause	ng Scheme Clause Matter for which a permit is required			
32.05-2 (TZ)	Use of the land for food and drink premises (Take away cafe).			
The applicant for the permit is:	Marchbank Town Planning			
The application reference number is:	5.2025.196.1			

You may look at the application and any documents that support the application free of charge at: https://www.eastgippsland.vic.gov.au/building-and-development/advertised-planning-permit-applications

You may also call 5153 9500 to arrange a time to look at the application and any documents that support the application at the office of the responsible authority, East Gippsland Shire. This can be done during office hours and is free of charge.

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

An objection must •

- be made to the Responsible Authority in writing,
- include the reasons for the objection, and
- state how the objector would be affected.

The responsible authority must make a copy of every objection available at its office for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.

The Responsible Authority will not decide on the application before:	Subject to the applicant giving notice
--	--

If you object, the Responsible Authority will tell you its decision.

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April McDonald

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From: Snapforms Notifications <no-reply@snapforms.com.au>

Sent: Wednesday, 18 June 2025 10:31 AM

To: Planning Unit Administration
Subject: Planning Permit application

Attachments: Planning_Permit_Application_2025-06-18T10-31-20_25958367_0.pdf; Title 13

Princes Highway Cann River 3890.pdf; Proposed plans - 13 Princes Highway Cann River 3890.pdf; Town Planning Report - 13 Princes Highway Cann River 3890.pdf

Planning Permit Application

A "Planning Permit Application" has been submitted via the East Gippsland Shire Council website, the details of this submission are shown below:

Applicant name: Marchbank Town Planning c/o Cann River Community Centre INC

Business trading name: Marchbank Town Planning

Email address:

Postal address:

Preferred phone number:

Owner's name: East Gippsland Shire Council

Owner's postal address: 273 MAIN STREET BAIRNSDALE VIC 3875

Street number: 13

Street name: Princes Highway

Town: Cann River

Post code: 3890

Other Legal Description: Crown Allotment 1A Section 4 Township of Cann River Parish of Noorinbee

Is there any encumbrance on the Title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?: No

Will the proposal result in a breach of a registered covenant restriction or agreement?: No

Existing conditions: Cann River Community Centre (Neighbourhood House)

Description of proposal: Use of food and drink premises (Take away cafe) Fee waiver A full fee waiver of the planning permit application fee is kindly requested. Cann River Community Centre INC is registered not for profit with the Australian Charities and Not for profits Commission. It occupies land owned by East Gippsland Shire Council and exclusively operates to serve and benefit the community.

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Estimated cost of development: \$20,000

Has there been a pre-application meeting: No

Full copy of Title: Title 13 Princes Highway Cann River 3890.pdf

Plans: Proposed plans - 13 Princes Highway Cann River 3890.pdf

Planning report: Town Planning Report - 13 Princes Highway Cann River 3890.pdf

Invoice Payer: Marchbank Town Planning

Address for Invoice:

Invoice Email:

Primary Phone Invoice:

Declaration: Yes

Authority Check: Yes

Notice Contact Check: Yes

Notice check 2: Yes

Privacy Statement Acknowledge: Yes





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Security no: 124125373319G Produced 16/06/2025 04:48 PM

CROWN GRANT

LAND DESCRIPTION

Crown Allotment 1A Section 4 Township of Cann River Parish of Noorinbee.

REGISTERED PROPRIETOR

Estate Fee Simple Sole Proprietor

ENCUMBRANCES, CAVEATS AND NOTICES

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP352423S FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER STATUS DATE

AY498952E AMEND eCT CONTROL PARTY Registered 12/06/2025

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

ADMINISTRATIVE NOTICES

NIL

eCT Control REGISTRAR OF TITLES Effective from 12/06/2025

DOCUMENT END



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CANN RIVER

Last Plan Reference:

Crown Portion:

Location of Land

Parish: Township:

Section Crown Allotment:

Derived From: VOL 8669 FOL 783

1A

NOORINBEE

Depth Limitation: 50 FEET ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON

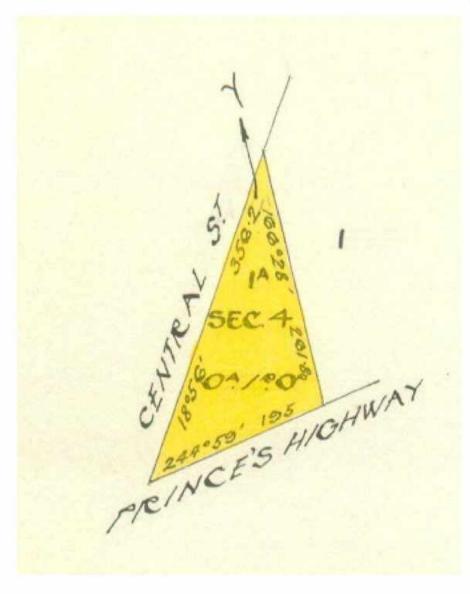
THIS TITLE PLAN

Description of Land / Easement Information

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 14/03/2000

VERIFIED: MP

> COLOUR CODE Y=YELLOW



LENGTHS ARE IN LINKS

Metres = 0.3048 x Feet Metres = 0.201168 x Links

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TITLE PLAN

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LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS on any copyright.

All that piece of Land in the said
State containing one rood more or less being Allotment one of Section four in the Township of Cann River Parish of Moorinbee
County of Croajingolong

delineated and coloured yellow in the map in the margin hereof TOGETHER with the right to sink wells for water and to the use for all purposes of any wells and springs now or hereafter upon the said land as though this Grant had been made without any limitation as to depth PROVIDED that this Grant is made subject to—

- (a) the reservation to Us Our heirs and successors of-
 - (i) all gold silver uranium thorium and minerals within the meaning of the Mines Act 1958 and petroleum within the meaning of the Petroleum Act 1958 (hereinafter called "the reserved minerals");
 - (ii) rights of access for the purpose of searching for and obtaining the reserved minerals in any part of the said land;
 - (iii) rights for access and for pipe-lines works and other purposes necessary for obtaining and conveying on and from the said land any of the reserved minerals which is obtained in any part of the said land;
- (b) the right to resume the said land for mining purposes pursuant to section 205 of the Land Act 1958;
- (c) the right of any person being the holder of a miner's right or of a mining lease or mineral lease under the Mines Act 1958 or any corresponding previous enactment to enter on the said land and to mine for gold or minerals within the meaning of that Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those under which such a person has now the right to mine for gold and silver in and upon Crown lands provided that compensation as prescribed by Part II. of that Act is paid for surface damage to be done to the said land by reason of mining thereon.

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National Relay Service: 133 677 Residents' Info Line: 1300 555 886

Facsimile: (03) 5153 9576 Email: feedback@egipps.vic.gov.au

ABN 81 957 967 765

Contact: Marc Taylor Telephone No: (03) 5153 9500

Email: (65) 6166 6666 Email: feedback@egipps.vic.gov.au

17 June 2025

Manager Cann River Community Centre 13 Princes Highway Cann River 3890 VIC

Dear Tiffany

Application for consent to lodge a planning permit for Cann River Community Centre

I refer to your land a manger consent application dated 10 June 2025 requesting consent to apply for a planning permit to carry out modifications and change of use at the Cann River Community Centre.

As Council's Land Manager, I consent to the lodging of an application for a planning permit with the following conditions.

- The planning permit is referred to Council's Building Maintenance unit and Manager Infrastructure and Open Space.
- All conditions in the planning permit are met.

Please contact Open Space Planner, Marc Taylor on the above telephone number should you have any queries regarding this matter.

Yours sincerely

PAUL ROONEY
Manager Infrastructure and Open Space



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Victoria, Australia

ABN 81 414 181 657

Petra Wood Planning Department East Gippsland Shire Council

By email planning@egipps.vic.gov.au

27 June 2025

Application: 5.2025.196.1

Proposal: Use of land for Takeaway Food Premises
Property Address: 13 Princes Highway Cann River 3890

Title: CA: 1A Sec 4

Further Information response

Dear Petra,

Thank you for the further information request dated 25 June 2025 that sought information on how the proposed use will operate, clarification of terms and other matters. Thank you also for taking the time to discuss the application today.

The following is provided to address the matters raised.

Matters	Response		
Confirm that the proposal is to serve food and	The proposal is for takeaway food premises only.		
drinks	This involves preparing food and drink to be served		
	to customers.		
Detailed description of the types and quantities of	Food will be in the form of small offerings, e.g.		
food that will be available	cake, sandwiches, cookies etc.		
Is the proposal for takeaway only	The proposal is for use of land for takeaway food		
	premises only.		
Will there be any provision of tables and chairs for	Currently it is not envisaged that tables and chairs		
customers to sit and consume food and drinks	will be provided.		
	Takeaway food premises is defined in the planning		
	scheme as 'Land used to prepare and sell food and		
	drink for immediate consumption off the premises.		
	It may include up to 10 seats available for		
	consumption on the premises.'		
How many patrons within the building	It's likely that there would be up to 5-8 patrons at		
	any one time.		





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How many staff for the proposed activity	It's likely that there will be 1 or 2 staff at any one		
	time.		
Detailed plan of the layout of the proposal	The floor plan has been amended to show more		
(equipment, activity areas, etc).	detail about the activity areas.		
If the proposal is for take-away only, the label of	The plans have been amended to annotate		
"CAFÉ" on the proposed floor plan will need to be	'takeaway food premises' only.		
changed to reflect the take-away service provision			
only			
More details regarding the proposal to upgrade	The current door is a double opening door which is		
the existing entry door to be DDA compliant? What	heavy and does not have the correct handles and		
are the current non-compliant issues, and how is it	therefore is non-compliant. This will be reduced in		
proposed that these will be rectified.	width to a single opening 920mm wide door with		
	correct handles opening inwards. The requirement		
	for this is governed by Section 23 of the Disability		
	Discrimination Act 1992 and Australian Standard		
	1428.1 'Design for Access and Mobility'.		
Is the existing op-shop to be moved	If the proposed takeaway food premises goes		
	ahead, the op-shop will vacate. Any future location		
	of the op-shop is unknown and is not part of this		
	permit application.		

I trust this information satisfies the further information request and will enable the permit application to progress. Feel free to get in touch should any clarification or other information be required.

Yours sincerely,

Ben Marchbank





PLANNING PERMIT **APPLICATION**

Use of land for food and drink premises (Take awaycoffee)

13 Princes Highway Cann River 3890

June 2025 v1



0477 408 721



ben@marchbanktownplanning.com.au



marchbanktownplanning.com.au



Victoria, Australia



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PLANNING SUMMERY

Address 13 Princes Highway Cann River 3890

Title Crown Allotment 1A Section 4 Township of Cann River Parish of

Noorinbee

No covenants, section 173 Agreements, or easements.

Land size 1008m2

Zoning Township Zone

Overlays Bushfire Management Overlay

Particular Provisions Clause 52.06 Carparking

Clause 52.29 Land adjacent to the principal road network

Other designations Bushfire Prone Area

Cultural Heritage Aboriginal Cultural Heritage Sensitivity is not mapped to the subject

land relating to the planning permit application.

Permit triggers Township Zone Clause 32.05-2 – Use

Carpaking Clause 52.06-2

Technical Reports None required

INTRODUCTION

Marchbank Town Planning has been engaged by Cann River Community Centre to prepare and lodge a planning permit application to use a small section of the existing building for a food and drink premises (take away coffee).

Cann River Neighborhood House is a registered not for profit organization and derives the majority of its revenue from government. It provides a variety of vital services to assist the community including Centrelink, library, child play group, food bank, reskilling, assisting victims of disaster and community meals. It also provides information on visitation in the area.

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This planning report addresses the applicable planning requirements of the East Gippsland Planning Scheme. The proposal has taken into consideration and is consistent with Planning Policy Frameworks including the Municipal Strategic Statement, and purpose, application requirements and decision guidelines of the Township Zone.

Application documentation:

- ✓ Planning permit application form
- ✓ Certificate of title
- ✓ Proposed plan set prepared by Tom Hardy

PRELIMINARY MATTERS

Fee waiver

A full fee waiver of the planning permit application fee is kindly requested. Cann River Community Centre INC is registered not for profit with the Australian Charities and Not for profits Commission. It occupies land owned by East Gippsland Shire Council and exclusively operates to serve and benefit the community.

Land Manager Consent

Cann River Community Building is owned by East Gippsland Shire Council. Land manager consent has been verbally provided and formal written consent is understood to be imminent and will be provided to the planning department in due course.

SITE AND SURROUNDS

The subject land is in the township of Cann River, CBD located on the north side of the Princes Highway a Transport Zone 2 road. The land is triangular in shape, 1008m2 and contains Cann River neighbourhood house/Community Centre. The limited operating commercial premises in the CBD are located to the west of the subject land and include a bakery, cafés, retail shop, hotel/pub and petrol stations. The building has a an existing timber deck entry with steps and a ramp.

Comprehensive pedestrian connectivity is provided linking the subject land with the commercial strip and includes well delineated road crossings.

An unmad road reserve adjoins to the west and contains a public park, toilet block and vehicle access from the north off Station Road to other developed properties. Land previously used for a service station adjoins to the east.

Formalized on street parking is located along the frontage, including all an abilities space and trailer parking is located adjacent to the east. Further on street parking is located along adjoining streets and this section of

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Prices Highway. There is no parking provision on the subject land nor is there the ability to create parking on the land.



Subject land and surrounds

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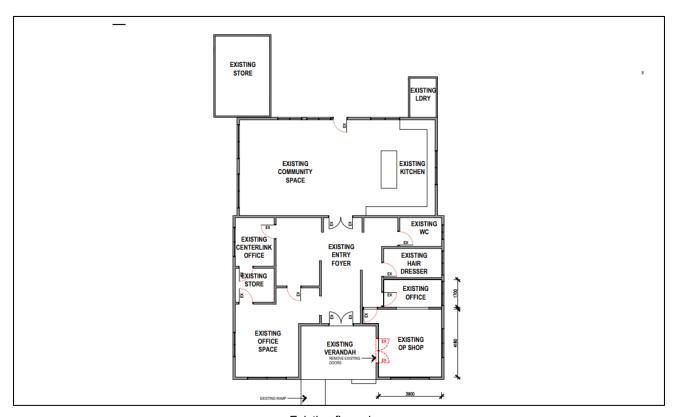
Subject land

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Pedestrian DDA access fronting Princes Highway

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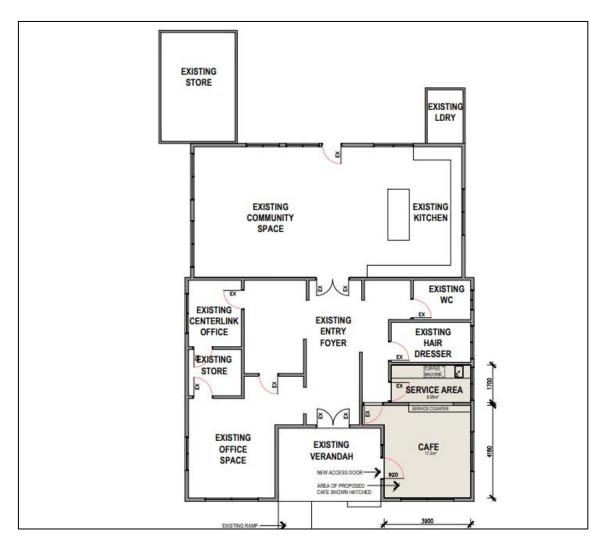


Existing floor plan

PROPOSAL

It is proposed to use a section of the existing community building as a food and drink premises, more specifically a takeaway for sale of coffee and small food items like cake and sandwiches. The floor area of the proposed use is 23.2m2. It comprises two rooms divided with a wall containing a serving window. Entry is provided via a DDA compliant existing timber deck that includes a ramp and steps. The existing entry door to the proposed café will be upgraded to be DDA compliant. Signage is not proposed at this stage.

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Proposed floor plan showing café



Service area (coffee machine/sink etc)



Takeaway customer waiting area

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Staff internal entry to proposed service area and customer waiting area

PLANNING ASSESSMENT

MUNICIPAL PLANNING STRATEGY

Clause 02.03 Strategic Direction

Cann River is identified as a rural settlement.

Clause 02.03 Strategic Directions

Strategic directions seek to support rural townships in relation to retail and other commercial uses.

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PLANNING POLICY FRAMEWORK

Clause 11 Settlement

Clause 11.01-1R Settlement Gippsland

Support the continuing role of towns and small settlements in providing services to their districts, recognising their relationships and dependencies with larger towns.

Clause 11.01-01L East Gippsland Settlements

Encourage development of township centres through consolidation of retail and commercial areas.

Clause 11.01-1L-03 Rural Settlements - Cann River

Support Cann River as a local retail and highway service centre [...]

Encourage retail / commercial development to concentrate along the Princes Highway [...]

Clause 15 Built Environment and Heritage

Clause 15.01-5S Neighbourhood character

Recognise, support and protect neighbourhood character, cultural identity and sense of place.

Clause 17 Economic Development

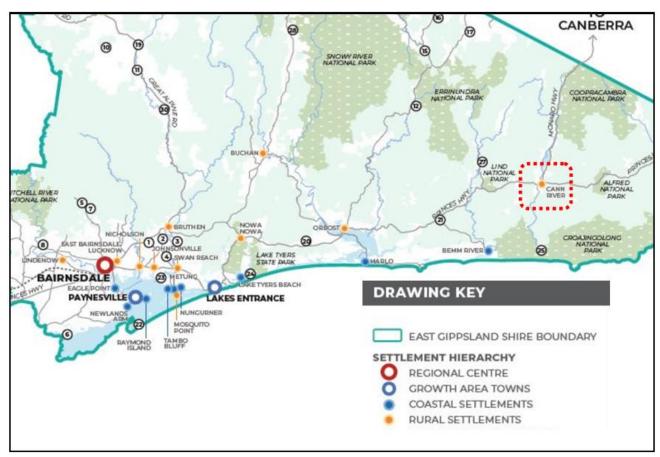
Clause 17.01-1L Diversified Economy

Encourage new and emerging business including home based businesses that provide employment opportunities.

Clause 17.04-1L - Tourism Shire

Encourage the clustering of commercial areas for local convenience and tourism related uses, including food and drink.

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Clause 11.03-4L-01 Rural Settlements - Cann River

Assessment

The Municipal Planning Strategy and Planning Policy Framework sets an expectation to strengthen local economies through well located retail and other commercial uses. The strategic context of the location is identified as a rural settlement. Large scale growth is not planned for but rather incremental use and development is expected and deemed appropriate for the location. Cann River functions as a critical rest area in this section of the interstate highway in providing an area for driver revitalisation which in turn improves road safety. The proposal strengthens the local economy through increasing commercial activity and contributing to community resilience at a settlement level. The proposal will have a complimentary and positive impact on this small township that, like many other similar rural settlements, faces economic challenges.

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ZONE

TOWNSHIP ZONE

The Township Zone is mapped to the entirety of the subject land and surrounding area. A permit is required for food and drink premises pursuant to Clause 32.05-2.

The purpose of the Township Zone includes:

- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage development that is responsive to the neighbourhood character of the area.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.



Zone map

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Decision Guidelines at Clause 32.05-15 relevantly require consideration of matters including.

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The scale and intensity of the use and development.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

The proposal is assessed to be consistent with the purpose and relevant decision guidelines of the Township Zone as follows:

- The proposed commercial use will strengthen the township location, that whilst has some commercial activity, would benefit from additional offerings.
- The character of the area is a made up of predominately residential with a mix of commercial premises along the main road. Most commercial buildings are single storey with a mixture of road frontage treatments. The proposal benefits from a space in the established community building that lends itself to the small scale café use. It will seamlessly assimilate with the existing character of the location.
- The proposal will serve as a community asset and strengthen the existing valued community centre that provides critical community services. The model is such that revenue will be fed back into Cann River Community Centre not for profit. It is intended to allow members of the community to learn barista skills to become 'work ready' for other cafes in the area and potentially other locations.
- Adjoining/nearby uses comprise a previously commercial dormant site to the east, residential to the rear and a landscaped public park that includes seating and toilet block 'Mick Baum Park'. None of these identified uses will have a detrimental impact on the proposal. The park will compliment the proposal by providing a place to relax with a coffee.
- The scale and intensity of the use is limited. The minimal area the use will occupy provides a physical constraint that will only facilitate a small operation. It's likely that there will only be one coffee machine and some snack display cabinets. There is no reason to expect any adverse impact on residential or other amenity impacts. Rather the premises will serve as a positive contribution to the township and further activate this section of the township.
- From a traffic and associated amenity perspective the proposal is of minimal consequence. Assessment of parking provision resulted in a zero parking requirement. The on street parking is well configured, of a significant amount, includes all abilities spaces and is conveniently located. The co-location of the proposal within an established community building and adjacent to a park makes for a positive outcome and multi trip scenario. Cann River is known to function as a long journey refreshment stop and is 'geared up' to provide a safe and functional traffic environment.
- Comprehensive pedestrian connectivity is provided linking the subject land with the commercial strip
 and includes well delineated road crossings.

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OVERLAYS

BUSHFIRE MANAGEMENT OVERLAY

The Bushfire Management Overlay is mapped to the entirety of the subject land and surrounding area. A permit is not required as the proposal relates to use only which is not a permit trigger at Clause 44.06-2.

PARTICULAR PROVISIONS

CLAUSE 52.06 CARPARKING

Clause 52.06-5 provides the number of car parking spaces required under Table 1.

The 'best fit' in defining the proposed use is food and drink premises. The ratio to be used is in Column A given that Column B only relates to instances relating to the Principal Public Network Area and schedules to the Parking Overlay, neither of which are relevant.

Column A requires the following ratio to be applied for food and drink premises:

4 to each 100m2 of leasable floor area.

Clause 52.06-5 states that 'A car parking requirement in Table 1 is calculated by multiplying the figure in Column A by the measure in Column C.

The floor area of the proposed use is 23.2m2. Therefore, 0.23.2 x 4 = 0.92 car parking spaces.

In these circumstances where the carparking calculation is not a whole number, the number of required carparking spaces is to be rounded down to the nearest whole number.

In conclusion, consistent with Clause 52.06 the proposed use does not generate a parking requirement.

CLAUSE 65 DECISION GUIDELINES & SECTION 60 OF THE PLANNING AND ENVIRONMENT ACT 1987

The proposal has been designed to meet the matters the responsible authority must consider in decision making as relevant to the proposal. The proposal will not result in a detrimental impact on the environment or any persons. Consistency is demonstrated with all relevant planning controls and decision guidelines. It will not have

Page 14 of 15

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any negative effect on the amenity of the area, future development or operation on the transport system, and will support the settlement hierarchy structure plan.

CONCLUSION

The proposal is considered to be consistent with relevant policy direction, zone and controls of the East Gippsland Planning Scheme.

It is concluded the proposal results in development that:

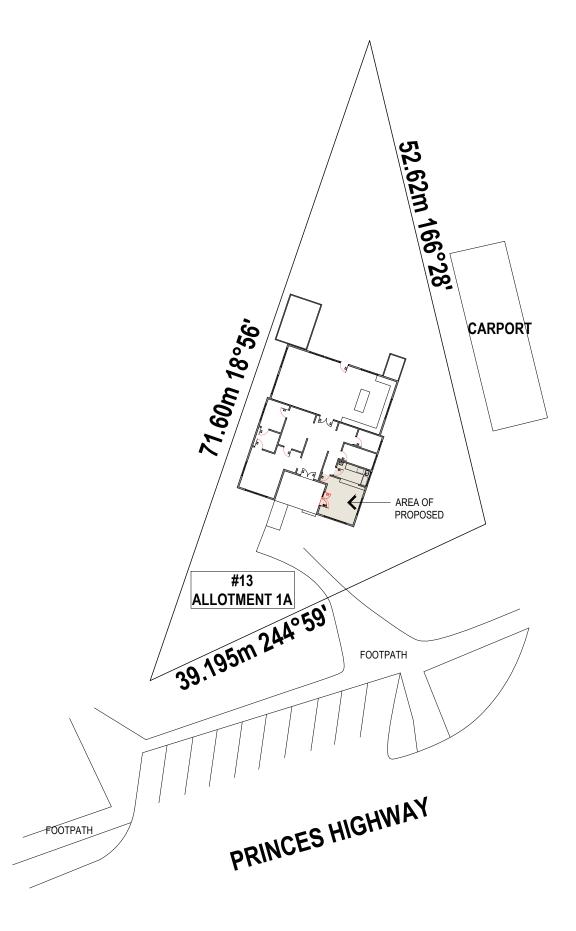
- Demonstrates compatibility with adjoining and surrounding use and development
- Will not generate any adverse on or offsite impacts
- Makes a positive contribution to a rural township
- Strengthens community resilience
- Results in orderly development

Please make contact should you wish to discuss any matters relating to this planning submission.

AREA SCHEDULES BUILDING AREA SCHEDULE: ING AREA SERVICE AREA 17.2 m² 6.08 m² SITE PLAN SP

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ISSUE:	JREVISI	ON: AMENDMENT:	JDATE:
PRELIM	A	FOR REVIEW	26.05.25
PLANNING	A	ISSUED FOR PLANNING PERMIT	04.06.25 26.06.25
PLANNING	В	AMENUMENTS	26.06.25
			

SCALE 1:200

TAKE AWAY FOOD PREMISES

PROJECT ADDRESS: 13 PRINCES HWY

CANN RIVER

CANN RIVER COMMUNITY AND INFORMATION CENTER JOB NUMBER: 0478_25

DRAWING TITLE: SITE PLAN

SCALE: AS SHOWN SHEET: A3 DRAWN: TH THIS DESIGN & DRAWINGS SHALL REMAIN INTELLECTUAL PROPERTY OF TDH DESIGN PTY LTD AND SHALL NOT BE COPIED IN WHOLE OR PART WITHOUT WRITTEN CONSENT FROM TDH DESIGN PTY. **TP01**

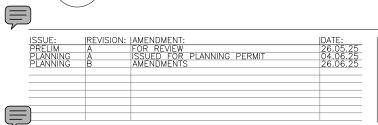
REVISION: ISSUE: PLANNING Printed 3/07/2025

EXISTING STORE EXISTING LDRY **EXISTING EXISTING COMMUNITY KITCHEN SPACE EXISTING** WC **EXISTING EXISTING** CENTERLINK **ENTRY EXISTING OFFICE FOYER** HAIR **DRESSER** EXISTING STORE **EXISTING OFFICE EXISTING EXISTING OFFICE EXISTING OP SHOP SPACE VERANDAH** REMOVE EXISTING DOORS

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PLANNING



EXISTING CONDITIONS PLAN

TAKE AWAY FOOD PREMISES

EXISTING RAMP

PROJECT ADDRESS:
13 PRINCES HWY
CANN RIVER

SCALE 1:100

CANN RIVER COMMUNITY AND INFORMATION CENTER
JOB NUMBER:
0478_25

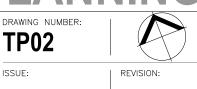
DRAWING TITLE:

EXISTING CONDITIONS PLAN

SCALE: AS SHOWN
SHEET: A3
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EXISTING STORE EXISTING **LDRY EXISTING EXISTING COMMUNITY KITCHEN SPACE EXISTING** EX WC **EXISTING EXISTING CENTERLINK OFFICE ENTRY EXISTING FOYER** HAIR **DRESSER EXISTING** BENCH AND SHELVING STORE SERVICE AREA SERVICE COUNTER **WAITING EXISTING EXISTING AREA OFFICE VERANDAH SPACE** NEW ACCESS DOOR 920 AREA OF TAKEAWAY FOOD PREMISES SHOWN HATCHED EXISTING RAMP -**GROUND FLOOR PLAN SCALE 1:100**

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6.08 m²

TOTAL EXISTING BUILDING: WAITING AREA 17.2 m²

SERVICE AREA

HATCHED AREA INDICATES EXTENT OF TAKE AWAY FOOD **PREMISES**

