Notice of an Application for an Amendment to a Planning Permit



The land affected by the application is located at:	L2 PS801994 V12172 F468 1 Mepstead Close, Pakenham VIC 3810
The application is to:	S72 Amendment to Alter what the Permit Allows (Use of the Land for Medical Centre (Myotherapy)) and amendment to Condition 3 of the Permit

	APPLICATION DETAILS
The applicant for the amendment to the permit is:	Ange Cristina Fitness Pty Ltd.
Application number:	T230152 - 1

You may look at the application and any documents that support the application at the office of the Responsible Authority:

Cardinia Shire Council, 20 Siding Avenue, Officer 3809.

This can be done during office hours and is free of charge.

Documents can also be viewed on Council's website: cardinia.vic.gov.au/advertisedplans or by scanning the QR code.



HOW CAN I MAKE A SUBMISSION?

This application has not been decided. You can still make a submission before a decision has been made. The Responsible Authority will not decide on the application before:

10 December 2024

WHAT ARE MY OPTIONS?

Any person who may be affected by the proposed amendment to 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.

If you object, the Responsible Authority will notify you of the decision when it is issued.

Application is here

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.

1



3

4





Application lodged

Council initial assessment

Notice

Consideration of submissions

Assessment

Decision



Planning Enquiries Phone: 1300 787 624 Web: www.cardinia.vic.gov.au

Office Use Only	Application No.:	Date Lodged:	/	1	
-		=			

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

- 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 97I of the Act).

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

Click for further informationopied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be used for any other purpose. By taking a copy of this document you acknowledge and agree that you will only use the document for the purpose specified above and that any dissemination, distribution or copying of this document is strictly prohibited.

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

Street Address *

The Land I

Unit No.:

St. No.: 1

St. Name: MEPSTEAD CLOSE

Suburb/Locality: PAKENHAM

Postcode: 3810

A Lot No.:

L2 PS801994
V12172 F468

B Crown Allotment No.:

Parish/Township Name:

St. Name: MEPSTEAD CLOSE

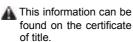
Postcode: 3810

No.: 12172

Section No.:

Section No.:

Formal Land Description * Complete either A or B.



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

Planning Permit Details I

What permit is being amended?*

Planning Permit No.: T230152	

The Amended Proposal i

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

This application seeks to amend:

of the likely effect of the proposal.

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.

X What the permit allows Current conditions of the permit	Plans endorsed under the permit Other documents endorsed under the permit
Details:	
Change Permit to include allowance for a No external signage is required for this se	Myotherapist to sub lease in the mezzanine.

For trading hours of the Myotherapist business, they would be in our Void time where the current Pilates Studio is closed. These hours would include Mon-Fri between 10am - 4pm. Leaving no additional need for car spaces. There will be a full 10 spaces empty . The Myotherapist will occupy 1 staff park and 1 client park at one time.

Update Permit to inclusion of Medical Centre (this was advised from planning department)

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



Development Cost i

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 –):
\$	_	\$	=	\$ N/A
Insert 'NA' if no development is proposed by the permit. A You may be required to verify this estimate.				

Existing Conditions 1



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 X 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 i



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.)

X 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.

Name:

Title:

Postal Address:

Unit No.:

Organisation (if applicable):

First Name:

St. No.:

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.

Contact information for applicant OR contact person below				
Business phone:				
	Fax:			
Contact person's details* Same as applicant				

St. Name:

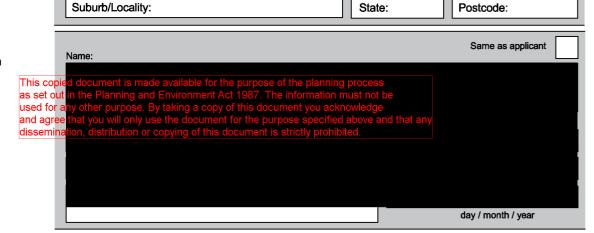
Surname:

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

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.



Declaration 1

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: 23/09/2024	
			day / month / year

Need help with the Application?

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 his 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

X No	O Yes	If 'Yes', with whom?:	
		Date:	day / month / year

Application No.:



Request to amend a current planning permit application

T230152

This form is used to request an amendment to an application for a planning permit that has already been lodged with Council, but which has not yet been decided. This form can be used for amendments made before any notice of the application is given (pursuant to sections 50 / 50A of the *Planning and Environment Act* 1987) or after notice is given (section 57A of the Act)

before any notice of the application is given (pursuant to sections 50 / 50A of the Planning and
Environment Act 1987) or after notice is given (section 57A of the Act).
PERMIT APPLICATION DETAILS

Address of the Land:	1 MEPSTEAD CLOSE PAKENHAM 3810						
APPLICANT DETAILS							
Name:							
Organisation:	STRONG PILATES PAKENHAM						
Address:	25 DENTON DRIVE OFFICER 3809						
Phone:	0468 619 191						
Email:	PAKENHAM@STRONGPILATES.COM.AU						
AMENDMENT TYPE							
Under which section of th	e Act is this amendment being made? (select one)						
Section 50 - Amendment	to application at request of applicant before notice:						
Section 50A - Amendmen	t to application at request of responsible authority before notice:						
Section 57A – Amendment to application after notice is given:							
AMENDMENT DETAILS							
What is being amended?	(select all that apply)						
What is being applied for	Plans / other documents Applicant / owner details						
Land affected	Other						
Describe the changes. If you need more space, please attach a separate page.							
AMEND HOURS OF	OPERATION						
Monday – Friday: 5	00 am till 7pm.						
	This copied document is made available for the purpose of the planning process as set out in the Planning and Environment Act 1987. The information must not be						

Specify the estimated cos	st of any development for whic	ch the permit is required:							
Not applicable	Unchanged	New amount \$110.25							
DECLARATION	DECLARATION								
l .	I declare that all the information in this request is true and correct and the owner (if not myself) has been notified of this request to amend the application.								
Name:									
Signature:									
Date:	28/10/2024								

LODGEMENT

Please submit this form, including all amended plans/documents, to mail@cardinia.vic.gov.au

You can also make amendments to your application via the Cardinia ePlanning Portal at https://eplanning.cardinia.vic.gov.au/

If you have any questions or need help to complete this form, please contact Council's Statutory Planning team on 1300 787 624.

IMPORTANT INFORMATION

It is strongly recommended that before submitting this form, you discuss the proposed amendment with the Council planning officer processing the application.

Please give full details of the nature of the proposed amendments and clearly highlight any changes to plans (where applicable). If you do not provide sufficient details or a full description of all the amendments proposed, the application may be delayed.

No application fee for s50/s50A requests unless the amendment results in changes to the relevant class of permit fee or introduces new classes of permit fees. The fee for a s57A request is 40% of the relevant class of permit fee, plus any other fees if the amendment results in changes to the relevant class (or classes) of permit fee or introduces new classes of permit fees. Refer to the *Planning and Environment (Fees) Regulations 2016* for more information.

The amendment may result in a request for more under section 54 of the Act and/or the application requiring notification (or re-notification). The costs associated with notification must be covered by the applicant.

Council may refuse to amend the application if it considers that the amendment is so substantial that a new application for a permit should be made.

Any material submitted with this request, 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.

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Cardinia Shire Council 2

Information Required as Part of the Application:

1. A current and full copy of title (including title plan) and details of any Restrictive Covenants or other restrictions on the title.

Please see attached title documentation.

- 2. A written response outlining the following:
- a. Confirm if any buildings and works and/or signage are also being proposed and specify the proposed cost of works, if applicable.

N/A - No building works are to be constructed, mezzanine area is being allocated for the whole use.

No signage displayed for the use. This is all to be advertised personally from the Myotherapist through social media and their own E marketing.

- b. Description of proposed use including;
- i. Number of persons providing the service;

One Staff (the Myotherapist)

ii. Proposed/expected number of clients;

One at a time by appointment only. This can be from up to 5 clients in total across a whole day.

iii. Booking schedule; and

Booking schedule to be ran online from the myotherapist and hours of trade being 11am - 4:30pm Mon - Fri.

iv. Whether clients are able to be seen independently (as in not members/not in association) from the existing Pilates studio.

Independently.

Further Information Required as Part of the Site Plan(s):

1. Fully dimensioned plans drawn to a stated scale and a minimum of A3 in size (devoid of endorsement stamp).

Please see attached.



Imaged Document Cover Sheet

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Document Type	Plan
Document Identification	PS801994J
Number of Pages	2
(excluding this cover sheet)	
Document Assembled	03/09/2024 08:15

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PLAN OF SUBDIVISION

EDITION 1

PS 801994J

Location of Land

Parish: NAR NAR GOON

Township:

Section:

Crown Allotment: 49 (PART)

Crown Portion:

Title Reference: VOL 11084 FOL 031

Last Plan Reference: LOT 23 ON PS549308J

COMMERCIAL DRIVE Postal Address:

PAKENHAM 3810 (at time of subdivision)

MGA 94 Co-ordinates (of approx. centre of land in plan)

Council Name: Cardinia Shire Council

Council Reference Number: S16/156 Planning Permit Reference: T160496 SPEAR Reference Number: S089447S

Certification

This plan is certified under section 6 of the Subdivision Act 1988

Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988

has not been made

Digitally signed by: Sonia Higgins for Cardinia Shire Council on 16/08/2019

Statement of Compliance issued: 31/10/2019

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VESTING OF ROADS AND/OR RESERVES **IDENTIFIER** COUNCIL/BODY/PERSON

NIL NIL

NOTATIONS

DEPTH LIMITATION DOES NOT APPLY

SURVEY:

This plan is based on survey

STAGING:

This is not a staged subdivision Planning Permit No. T160496

This survey has been connected to permanent marks no(s) PM518

In Proclaimed Survey Area No. 71

NOTATIONS

BOUNDARIES SHOWN BY THICK CONTINUOUS LINES ARE DEFINED BY BUILDINGS

LOCATION OF BOUNDARIES DEFINED BY BUILDINGS:

MEDIAN :ALL BOUNDARIES

யயயயயட DENOTES STRUCTURE (NON BOUNDARY)

LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS - SEE OWNERS CORPORATION SEARCH REPORT

COMMON PROPERTY No.1 IS ALL THE LAND IN THIS PLAN EXCEPT LOTS 1 TO 7 (BOTH INCLUSIVE)

'PT' DENOTES PART

THE COMMON PROPERTY CONSISTS OF A PRIVATE ROAD CALLED

"MEPSTEAD CLOSE"

EASEMENT INFORMATION

Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easements & Rights implied by Section 12(2) of the Subdivision Act 1988 applies to the whole of the land in this plan.

Easement Reference	Purpose	Width (metres)	Origin	Land Benefited/In Favour Of
E-1 E-1	Drainage Sewerage	2m 2m	PS549308J PS549308J	Cardinia Shire Council South East Water Limited



P: 03 5975 5921 E: office@stevepalmersurveys.com.au W: stevepalmersurveys.com.au A: 1/26 Carbine Way Mornington 3931

A.B.N. 69 166 818 846

DRAWING: 16135-POS-C Digitally signed by: Darren O'Shea, Licensed Surveyor,

Surveyor's Plan Version (C), 12/09/2018, SPEAR Ref: S089447S

REFERENCE: 16135

DATE: 12/09/2018

ORIGINAL SHEET SIZE : A3

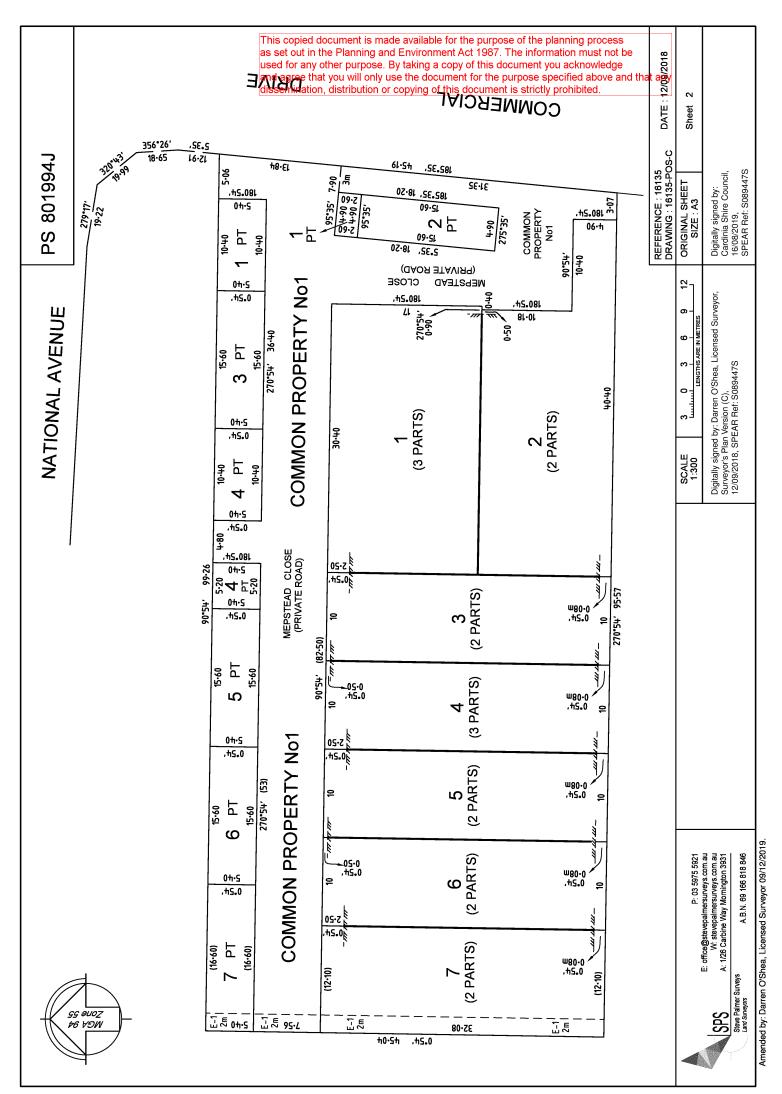
Sheet 1 of 2 sheets

PLAN REGISTERED

TIME: 4:21 PM DATE: 9/12/2019

Assistant Registrar of Titles

Amended by: Darren O'Shea, Licensed Surveyor 09/12/2019.





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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders,

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

Page 1 of 1

VOLUME 12172 FOLIO 470

Security no : 124117933911U Produced 03/09/2024 08:15 AM

LAND DESCRIPTION

Lot 4 on Plan of Subdivision 801994J. PARENT TITLE Volume 11084 Folio 031 Created by instrument PS801994J 09/12/2019

REGISTERED PROPRIETOR



COVENANT AK743041H 28/11/2013

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 set out under DIAGRAM LOCATION below.

NOTICE Section 45 Melbourne Strategic Assessment (Environment Mitigation Levy) 2020 AT390569X 01/07/2020

DIAGRAM LOCATION

SEE PS801994J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL										
		END C	F REC	SISTER	SEARCH	STA	TEMENT-			
Additional	information:	(not	part	of the	Regist	er	Search	Statement)	

OWNERS CORPORATIONS

The land in this folio is affected by OWNERS CORPORATION 1 PLAN NO. PS801994J

DOCUMENT END

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Title 12172/470 Page 1 of 1



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TRANSFER OF LAND Privacy Collection

Section 45 Transfer of Land Act 1958

Privacy Collection Statement
The information from this form is collected

Name: MERSTERN LAWRENS

Ref: 22554 Customer Code: 27554 Registry.

MADE AVAILABLE/CHANGE CONTROL

under statutory authority and is used for the

purpose of maintaining publicly searchable

registers and indexes in the Victorian Land

AK743041H

Office Use Only

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed-

- together with any easements created by this transfer:
- subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and
- subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land:

Volume 11084 Folio 031

Estate and Interest:

All our estate in fee simple

Consideration:

\$554,955.50

Transferor:

Cardinia Shire Council

Transferee:

Magog Holdings Pty Ltd ACN 494 429 544 of 108 Main Street Pakenham 3810

Directing Party:

nil

Creation and/or Reservation of easement and/or Covenant

Dated: 31/d1

The Purchaser must include in the instrument of the transfer of land a covenant ("the covenant") in the following form which will run with the land and appear on the certificate of title and folio of the Register to issue from the Land Titles Office in relation to the Land:

"The Transferee with the intent of binding the owner for the time being of the land in this transfer ("the land") COVENANTS with the Transferor and each of the owners of the land in Plan of Subdivision No. 549308J (apart from the land) that the Transferee will not:

(a) Erect or permit or suffer any building or buildings to be erected or to remain on the land hereby transferred unless:

Approval No.16000811A

ORDER TO REGISTER
Please register and issue title to

STAMP DUTY USE ONLY

T2

Page 1 of 4

Signed Code

Cust.

OF TOP TO

Anstat Pty Ltd

THE BACK OF THIS FORM MUST NOT BE USED Land Registry, 570 Bourke Street, Melbourne 3000. Phone 03 8636 2010

AK743041H

- Erection of the building or buildings are commenced within three (3) years of the date of registration of Plan of Subdivision No. 549308J and completed within twelve (12) months following commencement or such latter date as may be approved in writing by SouthEast Business Park Pty Ltd;
 - (ii) The plans and specifications of the said building or buildings including landscaping plans have been approved in writing by SouthEast Business Park Pty Ltd; and
 - (iii) The said building or buildings and landscaping plans are specifications are in conformity with the SouthEast Business Park Design Guidelines.
 - (b) Use or permit or suffer any part of the land hereby transferred to be used for purposes of a bank, café/take-away food premises, restaurant, motor vehicle repairs and panel-beating as defined in the Cardinia Planning Scheme without prior written consent of SouthEast Business Park Pty Ltd.
 - (c) Cause a plan of subdivision affecting the land hereby transferred (without prior written approval from SouthEast Business Park Pty Ltd) to be lodged with the Registrar of Titles for approval.
 - (d) Erect or cause to be erected on the land hereby transferred any building other than a building of which one hundred percent (100%) of the wall area (save for the provision of windows and doors) of the front wall and any side wall fronting a road is constructed of brick or block masonry or concrete with applied paint or aggregate finish or such other materials and finish as may be approved by SouthEast Business Park Pty Ltd.
 - (e) Erect or cause to be erected on the land hereby transferred any building other than a building of which the whole (save for the provision of window and doors) of any wall not facing any street or road is constructed up to a height of 2.1 metres above ground level of brick, masonry or such other materials as may be approved in writing by SouthEast Business Park Pty Ltd.
 - (f) Use or permit to be used for the purposes of external walls (including doors) on any building or buildings any cladding materials unless the same is finished with a durable paint or permanent colour surface;
 - (g) Suffer or store or permit goods, materials, containers or any other commodities or any tank, plant and machinery or rubbish to be stored or placed outside any building erected on the land hereby transferred unless they are substantially screened from view from the road frontage and from any secondary road by a wall of at least 2.5 metres in height or by other means approved by SouthEast Business Park Pty Ltd
 - (h) (i) Use or permit or suffer that part of the land hereby transferred situated within any setback area required pursuant to the provisions of the Cardinia Planning Scheme (herein called "the landscaped areas") to be used otherwise than for the purpose of a maintained landscaped garden or for the purpose of access to any building on the land hereby transferred; and
 - (ii) Develop or permit or suffer the landscaped area to be developed as a landscaped garden or for the purpose of access of any building erected on the land hereby transferred unless and until the plans and specifications for the landscaped area have been approved in writing by SouthEast Business Park Pty Ltd which approval is not to be unreasonably withheld;

Approval No. 16000811A

T2

Page 2 of 4



THE BACK OF THIS FORM MUST NOT BE USED Land Registry, 570 Bourke Street, Melbourne 3000. Phone 03 8636 2010

AK743041H

- Use or permit or suffer any part of the land hereby transferred to be used for the purpose of a motor vehicle wrecking or junk/scrap metal yard or container storage or recycling facility.
- (j) Erect or cause to be erected any front or side fence forward of the Landscape Set-back referred to below without the prior written consent of SouthEast Business Park Pty Ltd.

Landscape Set-back

Street Frontage	No Service Road Min distance (m)	Service Road	
Koo Wee Rup Road	3	3	
SouthEast Boulevard	3	N/A	
Greenhills	3	3	
McGregor	3	3	
All other roads	3	N/A	

- Erect or cause to be erected any fence constructed of a material other than coated chain or mesh, (k) steel pickets or materials to match the walls of the Building where that fence faces the road frontage or a secondary road, without the prior written consent of SouthEast Business Park Pty Ltd.
- **(l)** Erect or cause to be erected any side and rear boundary fence not facing a road other than an industrial chain mesh with a minimum height of 2.1m and a maximum height of 2.5m, without the prior written consent of SouthEast Business Park Pty Ltd.
- (m) Erect or cause to be erected on the land before any building is erected on the land any sign or hoarding advertising the land for sale other than a sign approval by SouthEast Business Park Pty Ltd for a period of four (4) years from registration of Plan of Subdivision No. 549308J.
- (n) Erect or cause to be erected on the land any Building unless the Building includes a Rainwater Tank with a minimum storage capacity of not less than 5000 litres, and which is plumbed or connected to the Buildings Toilet facilities.

Covenants in Clauses (a) (b) and (c) shall cease to operate 10 years after registration of Plan of Subdivision No. 549308J.

"AND IT IS AGREED that the benefit each of those covenants runs with the land in Plan of Subdivision No. 549308J (apart from the Land) and that the burden runs with the Land".

Signed by and on behalf and with the authority of the CARDINIA SHIRE COUNCIL by

Chief Executive Officer/Derek Madden General Manager Corporate Services in the exercise of a Power conferred by an Instrument of Delegation dated the 20 August 2007

in the presence of:

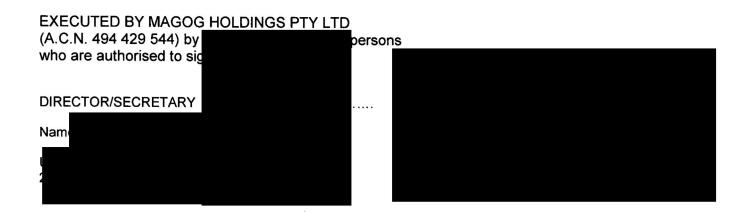
Witness:..

Approval No. 16000811A

Page 3 of 4



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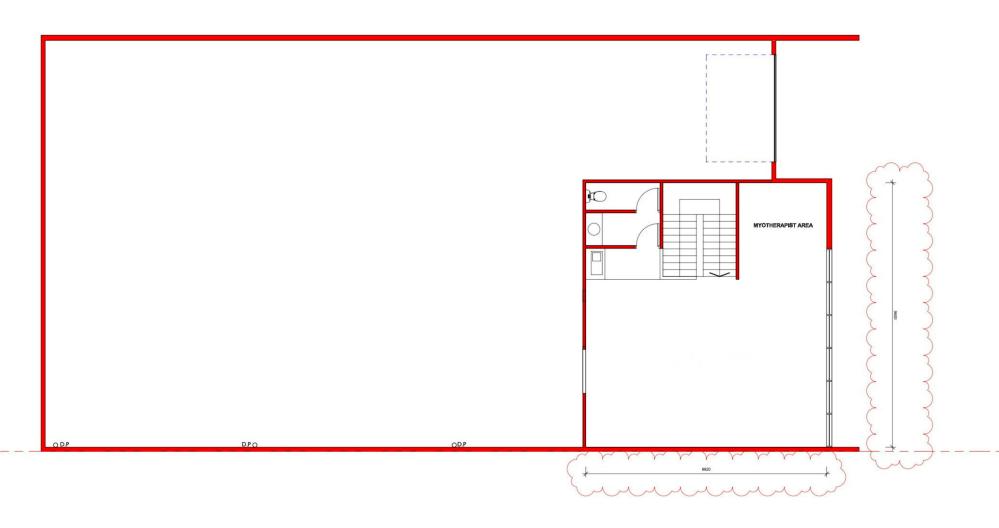
Approval No. 16000811A

Page 4 of 4



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AREA SCHEDULE LEGEND - EXISTING WALL TO BE RETAINED EXISTING GROUND FLOOR PROPOSED GROUND FLOOR - 412.20m² - 412.20m² EXISTING MEZZANINE - 86.50m² PROPOSED MEZZANINE - 86.50m² - PROPOSED WALL TOTAL EXISTING FLOOR - 498.70m² TOTAL PROPOSED FLOOR - 498.70m²



Mezzanine Floor Plan

No.	DATE	AMENDMENTS	DRAWN	CHECKED
Α	2023.05.18	RFI SUBMISSION	SN	SN
В	2023.06.01	ADDITIONAL DIMENSIONS	SN	SN
c	2024.10.29	MYOTHERAPIST AREA LOCATION MARKED ON PLAN	AT	AT

ARCHITECTURE BY SEMU

M. +61 416 728 614

A. Level 17, 31 Queen Street. Melbourne VIC 3000.

PROJECT TITLE Warehouse I, I Mepstead Close, Pakenhi	CLIENT	DRAWING TITLE Mezzanine Floor Plan	North	DATE: 23.10.2024
RAWN:	SCALE @ A1:	REVISION	JOB No:	DWG No:
N	1:50	В	23-07	A102