

CK GROUP

**BUILDING DESIGN
GUIDELINES**

**Lot 102 DP 1297448
(33 Berrima Street)**

DECEMBER 2024

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APPENDIX

Appendix A: Building Design Guidelines Site Plan

1.0 GENERAL

1.1 Introduction

This document (Plan) is known as Lot 102 DP 1297448 (previously Lot 39 DP 1246824) Tullimbar (CK Group) Building Design Guidelines (BDG's) endorsed by Shellharbour City Council (Council) on 13 November 2023. This BDG document has now been amended in accordance with Condition 9d of Development Application DA0226/2023 approved on 13 November 2023.

The Plan has two components; the written text and the accompanying BDG Site Plan in Appendix A, they should be read together. The BDG Site Plan indicates the Building Envelopes on the blocks of land, setback requirements and position of vehicular access points from the rear laneway.

1.2 Land to Which the BDGs Apply

This Plan applies to all new development, redevelopment, alterations or additions for residential lots less than 450sqm in area and lots identified to accommodate Studios and Dual Occupancy development within Lot 102 DP 1297448 Tullimbar, as shown on the Site Plan in Appendix A.

1.3 Relationship to Other Planning Instruments

The provisions of the *Environmental Planning and Assessment Act 1979 No 203 (EP&A Act)* and *Environmental Planning and Assessment Act Regulation 2000 (EP&A Regs)*, the *Building Code of Australia*, the *Local Government Act 1993* or any relevant State Environmental Planning Policy, apply irrespective of the provisions of this Plan. Council will also consider all matters listed in Section 4.15 of the EP&A Act prior to determining a Development Application.

This Plan has been prepared in accordance with the Shellharbour Development Control Plan 2013 (SDCP) Appendix 13 Tullimbar Provisions. The Plan is a site specific locality plan that takes precedence over the Residential SDCP.

1.4 Aim

The aim of these BDGs is to provide a set of design provisions to be used by applicants in the preparation of Development Applications, and to assist Council in the assessment of residential development and ancillary development such as garages, carports, swimming pools, outbuildings, fences and retaining walls on small lots on the subject land in Tullimbar.

1.5 Objectives

- To achieve good streetscape outcomes.
- To enhance community safety.
- To reduce overlooking and overshadowing.
- To create useable private open spaces.
- To improve legibility within the development area.
- To enhance solar access to dwellings.
- To achieve consistent character.
- To achieve opportunities for community interaction.
- To provide certainty to property owners regarding development outcomes.
- To provide for a range of housing preferences and needs.
- To generate good environmental outcomes.

1.6 Variations to Provisions

This Plan provides a set of requirements to be used by applicants in the design of all new residential structures and will be used by Council to assess residential development proposals submitted as Development Applications. Compliance with the requirements of this Plan will not in itself guarantee approval of any Development Application.

Council may, in exceptional circumstances, be prepared to exercise its discretion to allow variations to the standards or controls set out in this Plan. Any application that proposes a variation must be supported by a written statement demonstrating how the objectives are fully satisfied and must demonstrate that:

- a reasonable alternative location or design is not available; and
- compliance with the controls are considered unreasonable or unnecessary in the particular circumstances; and
- the amenity of the neighbours, streetscape or locality will not be detrimentally affected; and
- the proposed development will not create an unsafe situation.

2.0 CONTROLS FOR RESIDENTIAL DEVELOPMENT

2.1 Built Form/Design

In choosing the home design, the following objectives need to be considered.

Objectives

- Ensure the home design suits the block of land.
- Ensure the design contributes positively to an attractive and cohesive streetscape.
- Reduce overlooking and overshadowing by ensuring reasonable space between neighbouring homes.
- Create useable private open spaces to enhance the residential amenity and promote outdoor living and functionality.
- Ensure the design achieves BASIX requirements to generate good environmental outcomes.
- Ensure adequate off street parking and suitable vehicle access.

Controls/Development Provisions

a. Floor Space Ratio

There is no specified Floor Space Ratio (FSR) for lots in the Tullimbar Urban Release Area. As such building envelopes or footprint controls are defined by building height, setback controls and requirements for private open space. As shown on the BDG's Plan in Appendix A.

b. Building Footprint

The maximum building footprint for the allotments is determined by the setback requirements, vehicle access and parking, private open space areas and landscaped areas. All encroachments shall remain within the side setback. ie: within 200mm for zero lots and within 900mm for standard lot setback.

c. Building Heights

i) Building Height

The maximum building height is 11m above natural ground level. The maximum height of a detached garage or outbuilding is 9m above natural ground level.

ii) Storeys

The maximum number of storeys (excluding attics) is two (2).

Where attics are proposed, the entire floor must be wholly contained within the roof space and must not present as a third storey from the street.

Shadow diagrams must be provided for all dwellings of two or more storeys

iii) Ceiling Height

The main ground floor area of a dwelling shall have a minimum floor to ceiling height of 2.45m.

iv) External Wall height

- **1 Storey**

Walls are to have a maximum top plate height of 3.6m above natural ground level.

Where parapet walls are used (and there is no wall plate), the maximum height of the parapet wall is 4.5m above natural ground level.

- **2 Storey**

Walls are to have a maximum top plate height of 6.6m above ground level.

d. Boundary Setbacks

Definitions:

Primary Street – means the street to which the front door of the dwelling house, or a main building, on a lot faces or is proposed to face.

Secondary Street - can be a street or a laneway and is the street/road that is not the primary street.

i) Primary Street Setbacks

The minimum setback for the front wall of the dwelling from the front boundary is 4.5m with projections up to 500mm into the front setback.

Minimum 5.5m for ancillary structures.

ii) Secondary Street Setbacks (incl corner lots)

The minimum setback from secondary street boundaries is 2.4m for dwelling .

Minimum setback of 2m for garages and carports.

Minimum 2.4m for ancillary structures.

iii) Side Boundary Setbacks

Minimum 900mm both sides for single storey elements of a dwelling.

Minimum 1.2m both sides for upper story elements .

Note: Provided no adverse impacts to neighbours due to overlooking, overshadowing or acoustic privacy.

iv) Zero Lot Lines

One or both sides of the dwelling may be built to the side boundary.

Where a dwelling includes a zero lot line wall then:

- The external zero lot line wall shall be constructed no more than 200mm from the property boundary.
- Minimum 1.2m for upper storey elements to both side boundaries.
- Provided the other side setback is a minimum 900mm for single storey elements to allow access to the rear along one side boundary.
- The gutter & drainage are to be fully contained within the allotment.
- Provided an easement for maintenance of the zero lot line external wall is created on the adjoining property.

Where a dwelling does not propose a zero lot line wall there must be a minimum 900mm side setback.

Any dwelling with a side boundary setback of less than 900mm must comply with the relevant requirements of the BCA.

v) Rear Setbacks

A minimum of 3m from the rear boundary for single storey building elements.

At least 5m from the rear boundary for upper storey building elements.

On a rear laneway a garage can have a 500mm setback from the laneway.

Both lower and upper level setbacks must be inclusive of any awnings, balcony's and the like. There must be no protrusion of any structure past the required setbacks on both floors.

vi) Encroachments into front and side street setbacks

Open, lightweight structures attached to dwellings, such as window hoods, verandas' or pergolas (excluding carports), may encroach up to 500mm into the "No Build Area" of the front and side boundaries.

vii) Wall Mounted Items

Wall & window mounted items (such as air conditioning units and satellite dishes) may not be located on a façade that faces a street and may not be located on a second storey wall or window.

e. Roof Form

i) Roof Pitch

The roof pitch angle shall be between 22 degrees and 40 degrees with simple forms except for skillion roofs behind parapets

ii) Roof Mounted Items

Elements such as aerials and satellite dishes shall be located away from the front of the house in the least conspicuous location so not to be visible from the street.

f. Passive Surveillance

A dwelling must have at least one window of 0.8m² in area overlooking the street or laneway to allow for passive surveillance.

g. Waste Collection

A waste bin /storage area is to be provided within the boundary of each property, not visible from the public domain and not obstructing the driveway or laneway.

2.2 Building Material, Colours and Proportions

Objectives

- To achieve an attractive and cohesive streetscape.
- To achieve a consistent character.
- To contribute positively to the streetscape and neighbourhood.
- To ensure adequate space between neighbouring homes.
- Elements of individual homes can be different and interesting as long as it will fit into the neighborhood.
- Materials, colours and finishes to the front facade should also be applied to part of the sides of the home.

Controls

i) Colours

Colours need to be chosen which complement the design of the home and do not contain strong primary colours.

ii) Wall Finishes

Walls should have a mix of finishes including; face brick, rendered, bagged and/or painted, masonry and lightweight cladding.

Any street façade should have no more than 80% of a single material or finish.

Cladding or timber board may be used, however, it must suit the design of the home.

iii) Architectural Proportions

Any façade of a building that fronts a public street is to be architecturally balanced, through the use of symmetry and/or the use of good design proportioning. This includes the proportion & positioning of windows and doors.

2.3 Dwelling Layout

Objectives

- To achieve good streetscape outcomes.
- To enhance community safety.
- To achieve consistent character.
- To achieve opportunities for community interaction.
- To protect visual and acoustic privacy of nearby residents.
- To promote energy efficiency in residential development.
- To maximize the effective use of sunlight.

Controls

i) One habitable room shall address the primary street frontage, preferably opening onto a verandah or terrace by way of a door.

ii) Where possible at least one primary living space (living room, family room, kitchen, dining or meals room) shall face north, either towards the street on north facing lots or onto the private open space for east, west or south facing lots.

iii) Dwellings are to be designed to minimise noise transfer and overlooking.

iv) The side and rear elevations of the dwelling are important as they can be seen by neighbours. Therefore, the following elements need to be considered:

- Long lengths of wall need to be avoided.
- Set back the upper level at the rear of the dwelling which will enable more sunlight into rear yards.

2.4 Principal Private Open Space

Objectives

- To provide useable private open spaces areas and balconies to enhance residential amenity.
- To maximise the liveability of dwellings and enjoyment of residents.
- To enhance solar access to dwellings.
- To provide private open space that is integrated with indoor living areas to promote outdoor living and functionality.
- To create private open space areas that provide visual privacy to residents and neighbours.
- To generate good environmental outcomes.

Controls

A principal private open space area must contain an area of at least 20 square metres, with one minimum dimension of 4m, directly accessible from one of the indoor living areas. Such areas must be free of any obstructions (i.e. steps, supporting posts, clothes lines, landscape beds).

The private open space areas must provide visual and acoustic privacy for residents and neighbours.

2.5 Privacy

Objectives

- To achieve good streetscape outcomes.
- To enhance community safety.
- To reduce overlooking and overshadowing.
- To create usable private open spaces.

Controls

i) Avoid wherever possible , windows that overlook neighbouring properties.

ii) Windows must be placed to limit overlooking of adjacent lots, particularly overlooking of any principal private open space.

iii) The upper level walls of the house should be at least:

- 1.2 metres from the side boundaries, except where otherwise noted within these BDG's (please refer to setbacks above).
- Off-set side windows with the neighbours house.

iv) If an upper level window in your living area looks into the neighbours yard, use screening, translucent glass or raise the sill height to at least 1.5m above floor level to ensure privacy.

v) Consider screening elements where necessary to achieve privacy.

vi) Fencing around Principle Private Open Space areas should be maximum of 1.8 metre high and be set back from the front of the dwelling.

2.6 Sunlight

Objectives

- To enhance amenity by optimizing sunlight to habitable rooms and private open space areas.
- Use decorative awnings or sunscreens made from timber or metal to help prevent extreme sunlight.

Control

i) A Principle Private Open Space area must receive a minimum of 3 hours of non-continuous sunlight between 9am and 3pm mid-winter (June 21/22).

ii) Where this cannot be achieved a similar sized area of private open space within the lot must receive at least 3 hours of sunlight between 9am and 3pm.

iii) Shadow diagrams must be submitted with each 2 storey dwelling design demonstrating compliance.

2.7 Parking and Access (Driveways)

Objectives

- To provide for on-site parking and maneuvering of vehicles for residents and visitors and to reduce the need for street parking.
- To integrate garages, car parking areas and driveways into the overall development design.
- To ensure new driveways are designed to enable safe and free movement of vehicles.

- To ensure the continued safety of pedestrians across public access ways during and after construction.

Controls

a. Garage Controls

i) Minimum internal dimensions for a single garage are 3.1m wide by 5.5m deep. Minimum internal dimensions for double garages are 5.5m wide by 5.5m deep.

ii) The minimum garage door jamb width to be provided is:

- 2.4m where access is gained without a turning movement.
- 4.8m for a double door without a turning movement.
- 2.7m for a single garage with a turning movement.
- 4.8m for a double garage with a turning movement.

iii) Where storage is proposed within the garage, the minimum internal dimensions for the garage will not include any proposed storage. The storage area will be in addition to the minimum dimensioned area.

b. Car Parking Controls

i) A minimum of two (2) car parking spaces must be provided on each allotment, at least one of which must be provided in a garage.

ii) One space can be provided as stack parking on the driveway if possible.

iii) Where the allotment contains a studio unit a minimum of 3 car parking spaces must be provided on the allotment.

c. Driveway Location

i) Driveways must comply with Council's grade requirements. The maximum allowable driveway grades and crossfalls are as follows:

- The steepest allowable grade is 25%.
- The maximum allowable crossfall is 16%.
- The maximum allowable change of grade is 12% over 1.5m.

ii) A single car driveway crossing is preferred outside the property boundary, however, a curb crossing of up to 6m is permitted. Driveway widths are not restricted on rear lanes.

iii) Minimum distance of a driveway to a side boundary is 0.5m. The maximum width of the driveway at the boundary is to be 4.5m.

iv) Driveway crossings must only be constructed by Council, or a Council approved contractor, at the applicant's expense. An application form must be submitted and

approval issued prior to works commencing. Where any alterations are required, such work shall only be carried out with the approval of Council.

v) Driveway crossings must have a slip resistant finish.

vi) Crossings should be located so as not to interfere with existing public utility infrastructure.

d. Footpath Controls

i) The footpath area must not be used for the storage of building materials and/or soil, and any damage occurring during construction must be repaired. The footpath area shall maintain a 4% grade from the boundary to the kerb and must be turfed.

ii) Where altered, moved or damaged during construction, the footpath (including any concrete pathways, utility service pits and/or grates, kerb, gutter and any drainage pits) must be restored to their original condition prior to occupation of the development. In addition, redundant laybacks must be reinstated to the existing kerb profile prior to occupation of the development.

2.8 Studio Units

Objectives

- To provide passive surveillance of rear lanes.
- To achieve good streetscape outcomes.
- To enhance community safety.
- To reduce overlooking and overshadowing.
- To create usable private open spaces.
- To provide for a range of housing preferences and needs.

Controls

i) Studio Units

Where it has been indicated on the Site Plan in Appendix A, a studio unit can be constructed over the garage on that particular lot. The studio unit is to be constructed at the time of construction of the dwelling.

ii) Sizes and Dimensions

The studio unit shall be a maximum of 80 square metres in area and must have at least one window of 0.8m² in area overlooking any abutting lane or street. The maximum floor to ceiling height of a studio unit is 2.450m.

iii) Car Parking

A total of 3 car parking spaces must be provided where a studio unit is included on an allotment.

iv) Overlooking

Windows must be placed to limit overlooking of adjacent lots, particularly overlooking of any principal private open space.

v) Private Open Space

An outdoor private open space adjacent to a studio unit is to be provided.

3.0 THE STREETSCAPE

Home facades, fencing, driveways and landscaping are all important elements to the streetscape within Tullimbar. Therefore, front gardens, street trees and fencing need to be well defined and designed to enhance the streetscape.

3.1 Landscaping

Objectives

- To contribute positively to the visual quality of the dwelling and streetscape.
- To create a strong image for the home through hard and soft landscaping.
- To create a pleasant and attractive garden environment by promoting the use of landscaping.
- To ensure the front gardens incorporate small trees, shrubs and low planting.
- To provide trees in the rear yard wherever possible, which, upon maturity may be visible from the street.

Controls

- i) The front boundary with the street or laneway needs to be clearly defined by planting or hedging.
- ii) Signature trees should be planted wherever feasible to provide shade, privacy and enhance the dwelling design.
- iii) For additional privacy, trees and shrubs may be planted along side and rear boundaries.
- iv) Wherever possible hard and soft landscaping should be implemented to soften the built form and enhance the allotment.
- v) Wherever feasible a minimum of 25% of the lot is to be soft and hard landscaping. The exception is lots 7.2m wide where a minimum of 15% of the lot will be landscaped where feasible.
- vi) Landscaping along the Balmoral Street frontage under the electricity easement must not be more than 5m tall when mature.

3.2 Fences

Objectives

- To provide for privacy, security and definition of site boundaries.
- To ensure fences complement the appearance of the building and do not detract from an attractive and cohesive streetscape.
- To achieve opportunities for community interaction.
- To ensure the design and location of fencing does not obstruct the vision of motorists.

Controls

a) Front Fence Controls

i) Lots fronting Balmoral Parade (Lots 204 to 215), Berrima Street (Lot 216 & 217) and Braemar Street (Lots 201 to 203) shall have a 1.0m high timber picket front and side fence tapering to a 1.8m high timber paling fence screening the Private Open Space area, as shown on the BGD Site Plan in Appendix A. (Figures 3.1 and 3.2 show examples of fencing design).

i) Development consent is not required for fences with a maximum height of 1.0 m in front of the primary (front) and secondary (corner lots) building lines.

ii) Fences of a maximum height of 1.8 m in front of the primary (front) and secondary (corner lot) building line will only be permitted to enclose Principal Private Open Space areas with development consent. Must include adequate landscaping between the front boundary and the fence line.

iii) Any fence adjacent to a driveway on the front boundary and between the front boundary and proposed building line require a 1.5m splay and/or taper to provide visual sight lines for vehicles exiting the site.

b) Secondary Fence Controls

i) On all corner lots, the 1.0 m high front fence shall be continued around the corner (secondary street) for at least 4.0 m behind the front building line. The remainder of the fence shall have a maximum height of 1.8m. Any Principle Private Open Space within the secondary building line may also be enclosed with a 1.8 m high fence.

ii) Fences that are 1.8 m high and adjacent to a driveway or road, require a 1.5 m splay and/or taper at the corner to provide satisfactory view lines for motorists leaving the property.

c) Fencing Materials

- i) Front and Secondary Fence** - materials shall be timber pickets. Materials of piers can include natural stone, face brick and bagged or rendered brick.
- ii) Side and rear fences** – all fences are to be constructed of standard timber paling, with a minimum thickness of 15mm, no lap and capped construction is allowed.
- iii) Corrugated iron or similar metal fences** are not permitted.

Figure 3.1: Example of Timber Picket Fencing



Figure 3.2: Example of Timber Picket Fencing



3.3 Front Entry, Pergolas, Garages & Household Items

Front Entries and Porches should ensure:

- The design of the front entry is an important element in the front façade.
- Be clear and visible and create shelter for people entering the home.

Household items listed below should not be visible from the street:

- Garbage and recycling bins.
- Aerials and satellite dishes.
- Rainwater storage tanks.
- Air conditioning units.
- Clotheslines.

3.4 Cutting, Filling and Retaining Walls

Objectives

- To ensure the design of development has regard to the site conditions, particularly slope and stability.
- To minimize the visual impact of retaining walls on the streetscape and the amenity of adjoining properties through appropriate design and location of retaining walls on the site.
- To ensure efficient use of the available site area.
- To minimize the amount of cut and fill and any associated adverse impacts from surface and/or stormwater flows.

Controls

a) Cut and Fill Controls

i) The maximum depth of cut on any portion of the allotment shall be 1.0 metre. Cut areas may exceed 1.0 metre provided the retained sections are located within the confines of the external walls of the buildings.

ii) The maximum depth of fill on any portion of the allotment shall be 1.0 metre, unless retained within the building.

iii) The maximum grading of cut or fill shall be 45 degrees (1:1) where there is no retaining wall or no other method of stabilizing cut or fill.

iv) Where the amount of fill exceeds 700mm below a slab on ground, a dropped edge beam at the perimeter of the slab shall be constructed to retain the fill.

Note: The height of the cut is measured vertically at the cut face.

b) Retaining Wall Controls

i) Retaining walls over 600mm in height must be designed by a practising structural engineer.

ii) Construction of retaining walls or associated drainage work along common boundaries must not compromise the structural integrity of any existing retaining walls or structures. All components, including footings and aggregate lines, must be wholly contained within the property.

iii) A retaining wall that is visible from the street or public area must:

- Be constructed to a height no greater than 1.0 metre.
- Be designed so that there is a minimum setback of 1.0 metre between retaining walls and landscaping is provided in the setback areas.
- Be constructed from masonry type materials that do not detract from the streetscape.

iv) No part of any retaining wall or its footings can encroach onto a drainage easement or transmission line easement unless approval from the appropriate consent authority is obtained.

v) Any retaining walls required as part of the dwelling construction to control potential land stability and/or the structural integrity of adjoining properties, must be completed prior to occupation of the structure, at the discretion of the appropriate consent authority.

vi) Excavation or filling requiring retaining shall be shored or retained immediately to protect neighbouring properties from loss of support and to prevent soil erosion.

Note: The height of a retaining wall is the vertical distance between the top of the wall and finished ground level on the lower side of the retaining wall.

3.4 Stormwater Management

Objectives

- To ensure development is designed having regard to existing or proposed drainage easements.
- To ensure the structural integrity of existing and proposed structures is maintained.
- To ensure all development is adequately drained and minimises adverse impacts from surface and/or stormwater flows.

Controls

a) Stormwater drainage

All roof water must be piped to the street gutter, rear lane, stormwater pipe or a drainage easement unless otherwise approved.

b) Easements

i) No part of any structure, including footings and eaves overhang, shall encroach onto any transmission line easement or Council drainage easement without Council approval.

ii) Excavation associated with the development must not result in the loss of support of the drainage easement.

iii) Paths and driveways may be constructed over easements subject to Council approval.

iv) Cut and fill platforms must not extend over a drainage easement.

c) Flood Prone land

Any development subject to flooding or inundation must comply with the requirements of *Shellharbour Development Control Plan* and *Floodplain Risk Management Policy*.

3.5 Energy Efficiency / Solar Access / Water Sensitive Urban Design

The requirements of BASIX apply to all new development which aims to:

- Reduce potable water consumption.
- Reduce greenhouse gas emissions.
- Improve the thermal performance of buildings.

APPENDIX A
Building Design Guidelines
SITE PLAN

BUILDING DESIGN GUIDELINE PLAN - STAGE 2

SCALE 1:200

REV.	DESCRIPTION	DRAWN BY	CHECKED BY	DATE
A	PRELIMINARY CLIENT ISG	J.B.	J.S.	15.12.20
B	DRAFT	J.B.	J.S.	27.01.21
C	ISSUED FOR DEVELOPMENT APPLICATION	J.B.	J.S.	04.05.21
D	REVISED FOR COUNCIL COMMENTS	J.B.	J.S.	22.09.21
E	REVISED FOR BDG	J.B.	J.S.	12.12.24

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CK PROPERTY GROUP

PROPOSED RESIDENTIAL SUBDIVISION
33 BERRIMA STREET, TULLIMBAR
LOT 39 DP1246824
BUILDING DESIGN GUIDELINE PLAN

DATE: 22.12.2024
 TIME: 2:20 PM
 DRAWN BY: J.B.
 CHECKED BY: J.S.
 SCALE: 1:200 @ A1

[illegible]