PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA20/0527
Proposed development:	Freestanding Walkway Awning
Property address:	100 a Queen Street, ST MARYS NSW 2760
Property description:	Lot A DP 164781
Date received:	25 August 2020
Assessing officer	Lucy Goldstein
Zoning:	SEPP WSA - Affected by Obstacle Limitation SEPP WSA - Affected by Wildlife Buffer Zone Zone B4 Mixed Use - LEP 2010
Class of building:	Class 10a
Recommendations:	Deferred Commencement

Executive Summary

Council is in receipt of a Development Application from Dnp Group Pty Ltd for the construction a Freestanding Walkway Awning at 100a Queen Street, St Marys.

The site is owned by Penrith City Council, and is currently used as a pedestrian walkway that connects Queen Street (the main street in the CBD), to public car parking on East Lane. The purpose of the development is to provide improved amenity and visual interest to the walkway.

Under Penrith Local Environmental Plan 2010, the site is zoned B4 Mixed Use. The proposal is considered ancillary to the use of the site as a pedestrian walkway, which is a permissible land use.

The application is being reported to the Local Planning Panel in accordance with the *Local Planning Panels Direction - Development Applications dated 23 February 2018*, as the works are proposed on land owned by Penrith City Council (Section 1 '*Conflict of Interest*'). Whilst section 1(d) includes exceptions for minor building structures that project from the building façade over public land, the proposal is a free-standing awning and does not project from a building façade. Accordingly, the proposal is not excluded, and the consent authority is the Local Planning Panel.

Key assessment issues:

- The awning is freestanding and includes 4x posts in the aisle of the walkway creating potential pedestrian obstructions. The application is recommended for deferred commencement, requiring the design to be amended so that the awning is cantilevered on the northern side allowing for the deletion of the 4x posts that are located in the aisle of the walkway. Noting Penrith Development Control Plan 2014 requires pedestrian "through site links" in the St Mary's area to be a minimum 4m wide that are clear of all obstructions. (Chapter E15, S.15.3)
- Given the city location and that that there are two existing streetlights located in the walkway, a deferred
 commencement condition has been imposed requiring that a detailed Services Plan of the site that includes
 an overlay of the awning (inclusive of footing details) is to be submitted to and approved by Penrith City
 Council, to confirm that the structure is adequately clear of all existing services.

The application was notified to nearby and adjoining properties in accordance with Clause 4.4 of Appendix F4. Council received no submissions.

An assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979 has been undertaken and the application is recommended for approval by way of deferred commencement.

Site & Surrounds

The site is legally described as Lot A DP 164781, commonly known as 100A Queen Street, St Marys. The site is located on the eastern side of Queen Street, between Phillip Street and Chapel Street, to the north of the intersection of Queen Street and Charles Hackett Drive.

The lot is owned by Penrith City Council, and is used as a pedestrian laneway connecting Queen Street to East Lane. Queen Street is the main street in the St Mary's CBD area and the walkway provides a direct pedestrian link from the main street to the public car parking located on East Lane.

Site attributes-

Area: approx. 258sqm

Dimensions: approx. 6m wide x 43m length

Grade/slope: Relatively flat

Surrounding area: Locality is comprised of mixed commercial development.

Constraints: Flood Affected; 2x existing light poles are located at both ends of the laneway.

Proposal

Construction of a new freestanding awning, approximately 21m in length x 3.6m wide. The materials include a steel structure with multi-coloured interlaced ribbons made from Soltis Perform 92 (PVC). The structure has a maximum height of 4.2m.

Plans that apply

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy (Western Sydney Aerotropolis) 2020
- Sydney Regional Environmental Plan No.20 Hawkesbury Nepean River

Planning Assessment

Section 4.15 - Evaluation

The development has been assessed in accordance with the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following issues have been identified for further consideration:

Section 4.15(1)(a)(i) The provisions of any environmental planning instrument

State Environmental Planning Policy (Western Sydney Aerotropolis) 2020

Obstacle Limitation Surface Map

The site is identified on the Obstacle Limitation Surface Map under the State Environmental Planning Policy (Western Sydney Aerotropolis) 2020. Accordingly, the provisions under Clause 24 'Airspace Operations' have been considered. The objectives of Clause 24 are "To provide for the effective and ongoing operation of the Airport by ensuring that its operation is not comprised by development that penetrates the prescribed airspace for the Airport", and "To protect the community from undue risk from the operation of the Airport".

Clause 24(2) states that "The clause applies to development on land shown on the Obstacle Limitation Surface Map that is a controlled activity within the meaning of Part 12, Division 4 of the Airports Act 1996."

The proposal is not a controlled activity, noting the proposed structure will not result in any penetration or intrusion into the prescribed airspace by way of the physical height of the structure, intense light, reflection, or emission of smoke/dust/other particulate matters. As such, the provisions under Clause 24 are not relevant and do not apply to the proposal.

Wildlife Buffer Zone

The site is mapped as affected by the Wildlife Buffer Zone. Accordingly, the proposal has been assessed against the provisions under Clause 21. Clause 21(2) requires that development consent must not be granted to relevant development on land in the 13 km wildlife buffer zone unless the consent authority has considered several matters (as listed a-c). In accordance with Clause 21(4) the proposal is not defined as relevant development for the purpose of the clause. As such, the provisions under Clause 21 are not relevant and do not apply to the proposal.

Given the above, the proposal is considered satisfactory in regards to the requirements under the State Environmental Planning Policy (Western Sydney Aerotropolis) 2020.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River (No. 2 -1997) (SREP 20) integrates planning with catchment management to protect the Hawkesbury-Nepean river system, requiring the impact of future land use to be considered in a regional context. The application has been assessed against relevant criteria of SREP 20, and is considered to meet the requirements under SREP 20.

Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.3 Zone objectives	Complies - See discussion
Clause 7.2 Flood planning	Complies - See discussion

Clause 2.3 Permissibility

Under Penrith LEP 2010, the subject site is zoned B4 Mixed Use, and the proposal is defined as a freestanding awning. The proposal is considered ancillary to the use of the site as a pedestrian walkway, which is a permissible land use.

It is noted that Subdivision 36, Clause 2.71 of the State Environmental Planning Policy (Exempt and Complying Development Code) permits the 'construction or installation of a shade structure of canvas, fabric, mesh or the like' as exempt development if it is not constructed or installed on land in a foreshore area, and meets design standards as specified in the Policy. Due to the size (total area) of the structure exceeding 30sqm, the proposal is not exempt development and is being pursued via a Development Application.

Clause 2.3 Zone objectives

The proposal is consistent with the objectives of the B4 Mixed Use zone, specifically "*To create opportunities to improve public amenity.*"

Clause 7.2 Flood planning

The site is identified as Flood Affected, noting the laneway is used for overland flow through the St Mary CBD. Accordingly, the application has been referred to Council's Development Engineer for consideration of flooding impacts.

Based on this review, the proposed awning is considered to have minor implications to the overland flow by use of 100mm x 100mm steel support columns. However, concern was raised regarding the proposed yellow bollards located in the middle of the aisle at each end of the laneway, which could cause debris to get swept up and block the flow path through the laneway. Council's Development Engineer raised no objections to the proposal, subject to a condition requiring the deletion of the yellow bollards, which has been included.

Section 4.15(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2014

Provision	Compliance
C1 Site Planning and Design Principles	Complies
C2 Vegetation Management	Complies
C3 Water Management	Complies
C4 Land Management	N/A
C5 Waste Management	N/A
C6 Landscape Design	N/A
C7 Culture and Heritage	N/A
C8 Public Domain	Complies
C9 Advertising and Signage	N/A
C10 Transport, Access and Parking	N/A
C11 Subdivision	N/A
C12 Noise and Vibration	Complies
C13 Infrastructure and Services	N/A
E15 St Marys / St Marys North	Complies - see Appendix - Development Control Plan Compliance

Section 4.15(1)(a)(iiia) The provisions of any planning agreement

There are no relevant planning agreements applying to the site.

Section 4.15(1)(a)(iv) The provisions of the regulations

In accordance with the requirements under the Environmental Planning and Assessment Regulation 2000, a condition of consent has been imposed requiring that the development must comply with all relevant requirements under the Building Code of Australia.

Further, the proposal has been reviewed by Council's Building Surveyor, who raised no objections to the proposal subject to conditions.

Section 4.15(1)(b)The likely impacts of the development

Context and Setting

The proposal was reviewed by Council's Landscape Architect, and based on this review the following matters raised:

- The design of the multi-coloured interlaced ribbons is considered generally acceptable, bringing visual interest and some vibrancy to the laneway;
- The coloured ribbons should be highlighted through incorporating LED lights within the ribbons to maintain visual interest at night. A condition of consent has been imposed to this effect;
- The proposed posts located within the aisle of the laneway act as pedestrian obstructions, and are not supported. Particularly given there are shop doorways located on the southern side of the laneway, increasing the need to maintain the 'openness' of the laneway, and minimise obstructions. Deferred commencement condition has been imposed requiring the structure to be cantilevered on the northern elevation in order to allow for the deletion of the posts in the aisle of the laneway;
- A Services Plan is required to confirm footings will be clear of underground services- see discussion below.
- The awning should be positioned to be clear of the 2x light posts located on either side of the laneway. The awning is clear of the physical light posts.
- Site is affected by overland flow. Application has been reviewed by Council's Engineer who raised no objections.

Services

Given the city center location and noting that there are 2x existing streetlights located within the laneway, there is likely to be underground services along the full length of the laneway. To ensure that the development does not impact or damage existing underground services, a deferred commencement condition has been imposed requiring that the Applicant submit to Council for approval a Services Plan of the laneway and details of all footings to confirm the works are adequately clear of all services.

Landscaping

The proposal does not necessitate the removal of existing trees. To ensure this, a condition of consent has been imposed requiring that all existing landscaping be maintained, and any damaged landscaping as a result of the works be replaced.

Accessibility

The Application was supported by an Access Design Statement prepared by Ergon Consulting Pty Ltd dated 13 July 2020. The Statement recommends that lighting and tactile indicators are provided (shown on the DA plans) in accordance with relevant accessibility requirements. A condition of consent has been imposed requiring the development to be carried out in accordance with the Access Design Statement, and details to be included on the construction certificate drawings.

Asset Management

Prior to lodging the Development Application, the Applicant engaged in consultation with Council's Property Officer given the works relate to Council owned land. Through this process, consultation occurred with Council's Asset Management Officer, Design and Projects Officer and Engineer. Based on this advice, the following conditions have been included:

- Contractor must ensure the restoration of the existing asphalt footpath as per existing conditions of the space.
- Existing Council assets and landscaping within the space to be maintained and if damaged replaced at the cost of the contractor.
- Pedestrian management plan to be submitted to Assets via footpath Occupancy.

Section 4.15(1)(c)The suitability of the site for the development

The site is suitable for the proposed works. The site is used as a pedestrian walkway that connects Queen Street to East Avenue, and the works will improve pedestrian amenity.

Section 4.15(1)(d) Any Submissions

Community Consultation

In accordance with Clause 4.4 of Appendix F4 of Penrith Development Control Plan 2014, the proposed development was notified to nearby and adjoining residents.

Council notified four residences in the area, and the exhibition period occurred between 2 September and 16 September 2020. Council received no submissions.

Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Building Surveyor	No objections - subject to conditions
Development Engineer	No objections
Planning and Sustainability	No objections

Section 4.15(1)(e)The public interest

The proposed development is unlikely to generate any significant issues of public interest. Further, the proposal is considered to contribute to the overall amenity of the public pedestrian walkway by way of providing additional shade, shelter and visual interest to the walkway.

Conclusion

In assessing this application against the relevant environmental planning policies, being Penrith Local Environmental Plan 2010 and Penrith Development Control Plan 2014, the proposal generally satisfies the aims, objectives and provisions of these policies.

Overall, the site is considered suitable for the proposal, and the proposal will not result in adverse environmental impacts.

However, to meet Penrith DCP controls and objectives and to achieve good pedestrian movement and amenity, the proposal is recommended for approval by way of deferred commencement, requiring the awning to be cantilevered on the northern side, so as to allow for the posts on the southern side to be removed, opening up the laneway for unobstructed pedestrian traffic and improving general ease of movement and amenity of the lane.

The proposal as amended by Schedule 1 conditions, is considered to be in the public interest in providing improved pedestrian amenity and visual interest of an existing laneway.

Accordingly, the application is recommended for approval by of deferred commencement.

Recommendation

That Development Application DA20/0527 for the construction of a freestanding awning at 100a Queen Street, St Marys be approved by way of a Deferred Commencement determination subject to the attached conditions.

General

1 A001 - Approved plans table

The development must be implemented substantially in accordance with the following plans stamped approved by Council, those required to satisfy the Deferred Commencement Condition found in Schedule 1 of this Consent, the application form, and any supporting information received with the application, except as may be amended by the following conditions, and arising from the deferred commencement condition requirements, and as marked in red on the attached plans.

Document Title	Reference	Prepared By	Dated
Plans	A101.2	DNP Group	27/07/2020
Elevations N/E	A202.1	DNP Group	27/07/2020
Elevations N/W	A202.2	DNP Group	27/07/2020
Solar Study, Summer; Solar Study Winter	A400.1 and A400.2	DNP Group	27/07/2020
Details	A500.2	DNP Group	27/07/2020
Renders	A600.1 and A600.2	DNP Group	27/07/2020
Soltis Perform 92 Specifications	-	Serge Ferrari Group	-

2 A019 - OCCUPATION CERTIFICATE

The development shall not be used or occupied until an Occupation Certificate has been issued.

3 A038 - Lighting Locations

Prior to the issue of an Occupation Certificate, the lighting system is be installed for the development to provide uniform lighting across the laneway. Exterior lighting is to be located and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting shall be the minimum level of illumination necessary for safe operation. The lighting shall be in accordance with Australian Standard AS-4282 Control of the obtrusive effects of outdoor lighting 2019.

4 A039 - Graffiti

The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.

5 A046 - Obtain Construction Certificate before commencement of works

A Construction Certificate shall be obtained prior to commencement of any building works.

6 A Special - Maintenance Schedule

Prior to the issue of an Occupation Certificate, a maintenance schedule for the awning is to be submitted to Penrith City Council.

7 A Special Bollards to be deleted

Prior to the issue of a Construction Certificate the four (4)x yellow bollards are to be deleted. Noting that there are existing bollards at the entrance of the walkway near East Lane, preventing vehicle access into the lane, and the existing bus shelter on the Queen Street end prevents vehicle access.

8 A Special Existing Infrastructure and Landscaping

Existing Council assets and landscaping on the site are to be maintained. In the event that any Council assets or landscaping are damaged as a result of the works, they are to be replaced at the full cost of the Developer.

9 A Special Footpath Occupancy

Prior to the Commencement of any works, a Pedestrian Management Plan is to be submitted to and approved by Penrith City Council via a Footpath Occupancy.

10 A Special- Footpath Restoration

Prior to the issue of an Occupation Certificate, the existing asphalt footpath is to be restored as per the existing conditions of the site, and to the satisfaction of Penrith City Council.

Environmental Matters

11 D009 - Covering of waste storage area

All waste materials stored onsite are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and the areas are to be fully enclosed when the site is unattended.

BCA Issues

12 E001 - BCA compliance

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

- (a) complying with the deemed to satisfy provisions, or
- (b) formulating an alternative solution which:
- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

13 E006 - Accessible Access and Facilities

Lighting and tactile indicators are to be provided in accordance with the report by ERGON CONSULTING PTY LTD dated 13 July 2020. Details are to be submitted with the Construction Certificate application.

Construction

14 H001 - Stamped plans and erection of site notice

Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details are to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the Occupation Certificate has been issued for the development.

15 H002 - All forms of construction

Prior to the commencement of construction works:

- (a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:
- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.
- (b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- (c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).
- (d) If the work involved in the erection or demolition of a building is likely tocause pedestrian or vehicular traffic in a public place to be obstructed orrendered inconvenient, or involves the enclosure of a public place, ahoarding or fence must be erected between the work site and the public place:
- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the publicplace,
- the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
- any such hoarding, fence or awning is to be removed when the work has been completed.

16 H041 - Hours of work

Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Engineering

17 K202 - S138 Roads Act - Works and Structures - Minor Works in the public road

Prior to the issue of any Construction Certificate, a Section138 Roads Act applications, including payment of application and inspection fees, shall be lodged and approved by Penrith City Council (being the Roads Authority for <u>any works required</u> in a public road). These works may include but are not limited to the following:

- a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
- b) Concrete footpaths and or cycleways
- c) Road opening for utilities and stormwater (including stormwater connection to Penrith City Council roads and other Penrith City Council owned drainage)
- d) Road occupancy or road closures
- e) The placement of hoardings, structures, containers, waster skips, signs etc. in the road reserve
- f) Temporary construction access

All works shall be carried out in accordance with the Roads Act approval, the development consent, including the stamped approved plans, and Penrith City Council's specifications, guidelines and best engineering practice.

Contact Penrith City Council's City Works Department on (02) 4732 7777 or visit Penrith City Council's website for more information.

Notes:

- Where Penrith City Council is the Certifying Authority for the development, the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
- Separate approvals may also be required from the Roads and Maritime Services for classified roads.
- All works associated with the Roads Act approval must be completed prior to the issue of any Occupation Certificate or Subdivision Certificate as applicable.
- On completion of any awning over the road reserve, a certificate from a practising structural engineer certifying the structural adequacy of the awning is to be submitted to Council before Council will inspect the works and issue its final approval under the Roads Act

Landscaping

18 L012 - Existing landscaping to be retained

Existing landscaping on the site must be retained and is not be removed as a result of the works.

Any landscaping that is damaged as a result of the works is to be replaced with like-for-like planting **before the issue of an Occupation Certificate**.

Payment of Fees

19 P001 - Costs

All works are to be carried out at the applicant's cost.

Certification

20 Q01F - Notice of Commencement & Appointment of PCA2 (use for Fast Light only)

Prior to the commencement of any earthworks or construction works on site, the proponent is to:

(a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and (b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Schedule 1 (Deferred Commencement)

21 S Special (Deferred commencement condition)

Prior to the issue of an operational consent and within 5 years from the date of this consent, the following design amendments are required, and additional information as detailed in this condition is to be submitted to and approved by Penrith City Council:

- (a) The design is to be amended so that the awning is cantilevered on the northern elevation, allowing for the deletion of the 4x posts located on the southern elevation, and minimising pedestrian obstructions in the walkway. Detailed design plans to this effect are to be submitted to and approved by Penrith City Council before the issue of an operational consent. The amended plans are also to incorporate LED lighting on the multi-coloured strips, so as to create better visual interest at night.; and
- (b) A detailed Services Plan of the site that includes an overlay of the awning (inclusive of footing details) is to be submitted to and approved by Penrith City Council, to confirm that the structure is adequately clear of all existing services.

Should documentation as detailed above not be received by Council within 5-years from the date of this consent, this consent shall lapse.

Appendix - Development Control Plan Compliance

Development Control Plan 2014

E15 St Marys / St Marys North

Section 15.3.1 Pedestrian Amenity

The proposal subject to the recommended deferred commencement requirements is considered consistent with the objectives and controls under Section 15.3.1, as summarised below:

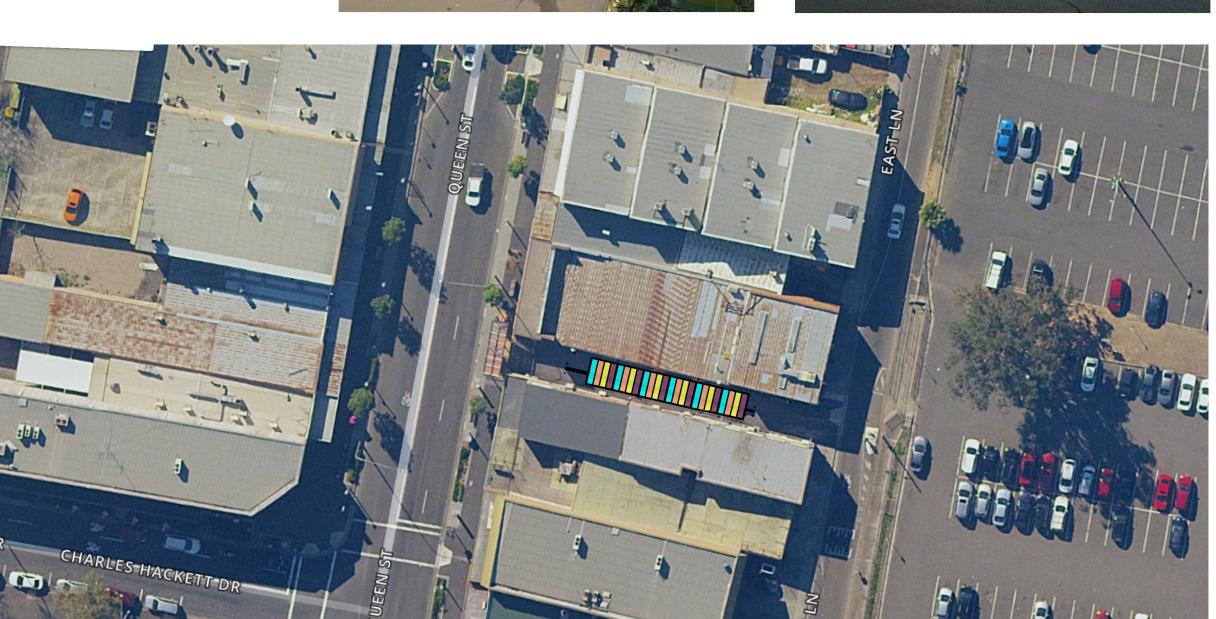
- the proposal retains and enhances an existing through site link;
- the proposal provides for improved pedestrian amenity;
- will design (as required by deferred commencement condition) will achieve a minimum width of 4m for its full length and clear of all obstructions including columns;
- the proposal includes adequate lighting

PROPOSED WALKWAY AWNING AT ST MARYS

SHEET LIST







- Use figured dimensions. Do not scale from drawing.
 All dimensions are in millimeters.
 Drawings to be read in conjunction with specifacations and/or schedules.

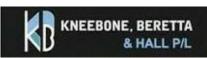


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Revision Schedule

For Approval 1/1/20 8/3/20 For Review For Revision 6/6/20 For Accessibility Review 12/7/20 For Approval (DA) 27/07/20





Building Services

St Marys Town Centre

Project Address

St Marys Walk Way, Off Queen Street and East Lane

Site

Project Awning

File Location

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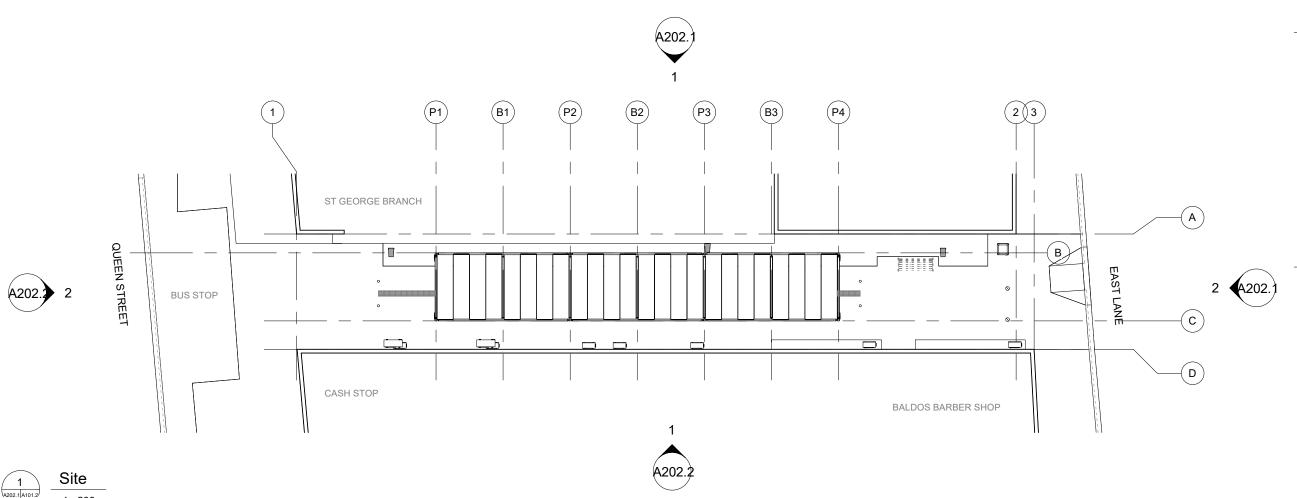
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Paul Edwards Scale Date

12/7/2020 1:500 Project No. Drawing No.

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Document Set ID: 9280320 Version: 1, Version Date: 29/08/2020



Use figured dimensions. Do not scale from drawing.
 All dimensions are in millimeters.

3. Drawings to be read in conjunction with specifacations



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Revision Schedule

For Approval 1/1/20 8/3/20 For Review 6/6/20 For Revision For Accessibility Review 12/7/20

> For Approval (DA) 27/07/20



Building Services

St Marys Town Centre

Project Address

St Marys Walk Way, Off Queen Street and East Lane

Drawing

Plan

Project

Awning

File Location

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Drawn Checked

Paul Edwards Checker

Scale Date 12/7/2020

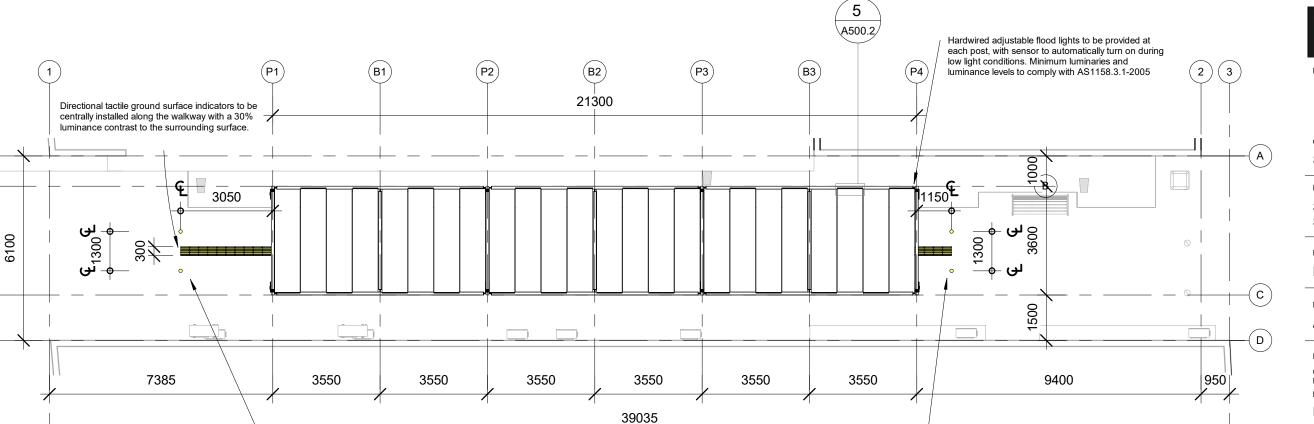
As indicated

Project No.

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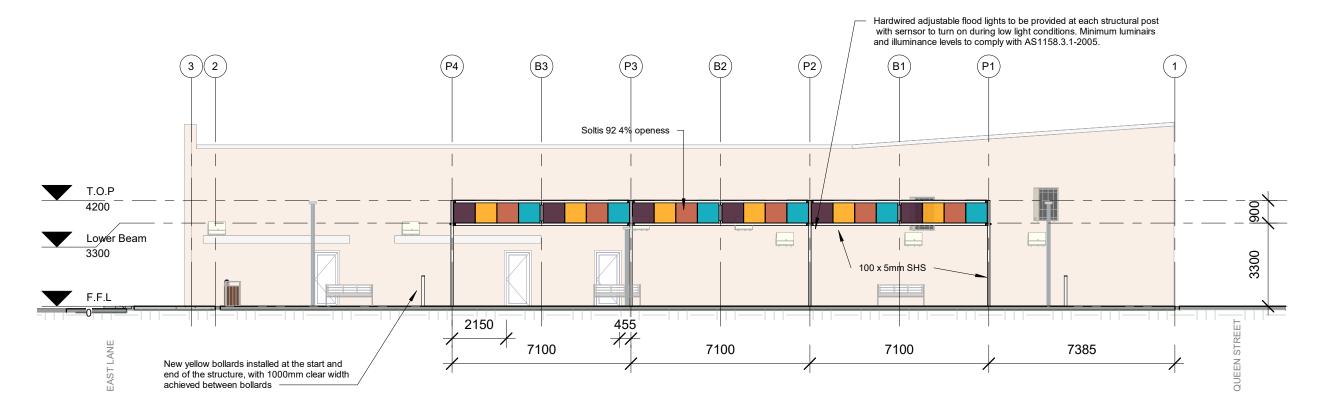
226_19

Site Copy 1 Document Set ID: 9280320 Version: 1, Version Date: 20/08/2020



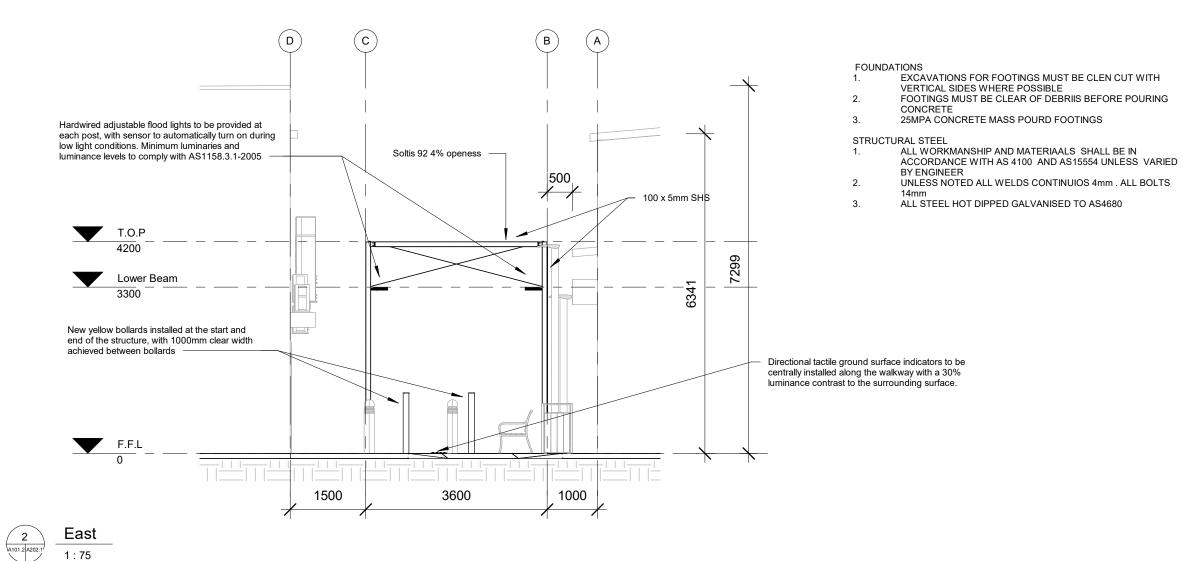
New yellow bollards installed at the start and end of the structure, with 1000mm clear width

achieved between bollards



1 A101.2 A202.1

North
1: 150



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NOTES

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Revision Schedule

1 For Approval 1/1/20 2 For Review 8/3/20 3 For Revision 6/6/20 6 For Accessibility Review 12/7/20 7 For Approval (DA) 27/07/20

tructtural



Building Services

Clier

St Marys Town Centre

Project Address

St Marys Walk Way, Off Queen Street and East Lane

Drawing

Elevations_N/E

Project

Awning

File Location

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Marys\Structure_R0

Checked Checker

Paul Edwards Checker

Scale

Date

As indicated

Drawing No.

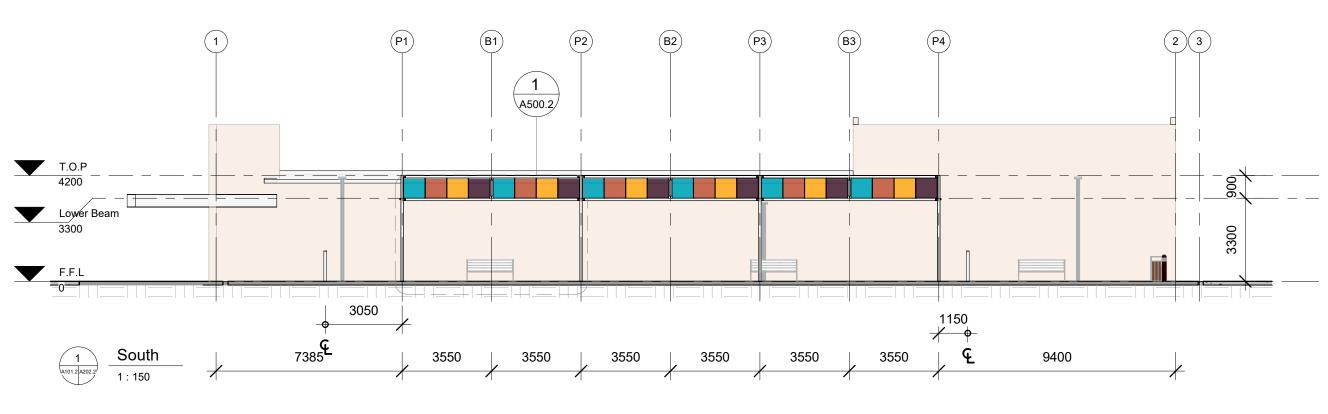
12/7/2020

226_19

Project No.

A202.1

Document Set ID: 9280322 Version: 1, Version Date: 29/08/2020



- Use figured dimensions. Do not scale from drawing.
 All dimensions are in millimeters.
- 3. Drawings to be read in conjunction with specifacations



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Revision Schedule

27/07/20

1	For Approval	1/1/20
2	For Review	8/3/20
3	For Revision	6/6/20
6	For Accessibility Review	12/7/2

7 For Approval (DA)



Building Services

St Marys Town Centre

Project Address

St Marys Walk Way, Off Queen Street and East Lane

Elevations_S/W

Project

Awning

File Location

Drawn

C:\dnp group\Works\Current_Work\226_19_St Marys\Structure_R01.rvt

Paul Edwards

Checked Checker

Scale Date

12/7/2020 As indicated

Project No. Drawing No. 226_19 A202.2

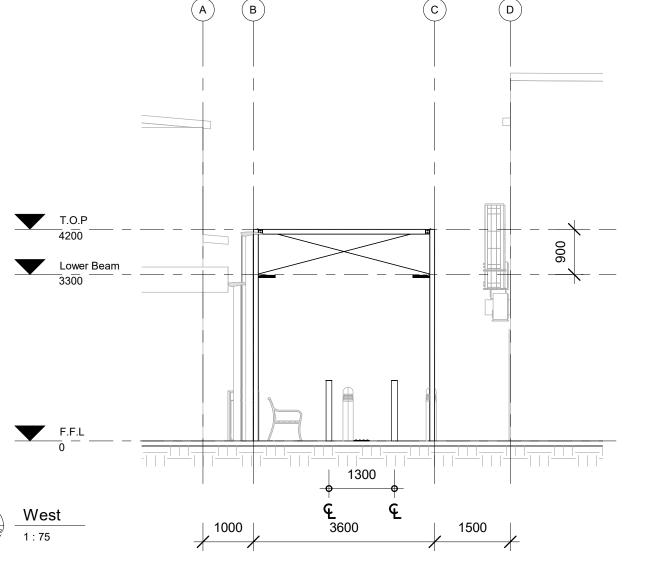
FOUNDATIONS

- EXCAVATIONS FOR FOOTINGS MUST BE CLEN CUT WITH VERTICAL SIDES WHERE POSSIBLE FOOTINGS MUST BE CLEAR OF DEBRIIS BEFORE POURING

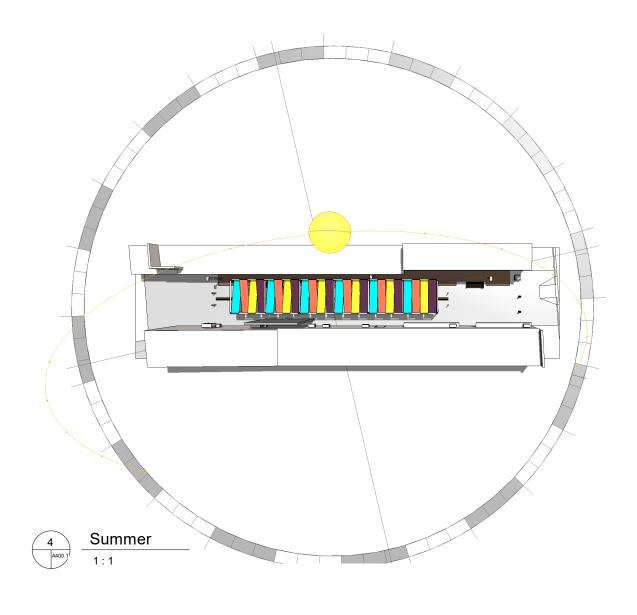
- 25MPA CONCRETE MASS POURD FOOTINGS

- STRUCTURAL STEEL

 1. ALL WORKMANSHIP AND MATERIAALS SHALL BE IN
 ACCORDANCE WITH AS 4100 AND AS15554 UNLESS VARIED
- UNLESS NOTED ALL WELDS CONTINUIOS 4mm . ALL BOLTS
- 14mm ALL STEEL HOT DIPPED GALVANISED TO AS4680



Document Set ID: 9280320 Version: 1, Version Date: 20/08/2020



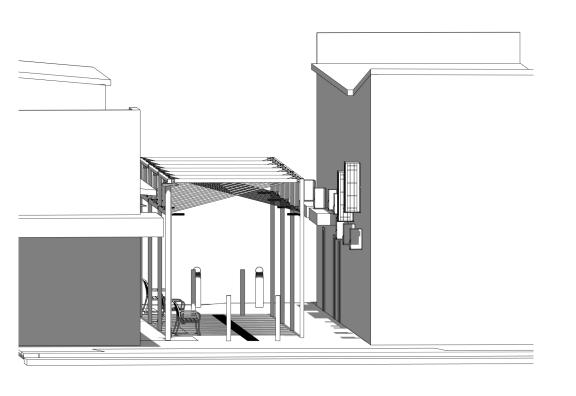




Summer Solstice 9am









Summer Solstice 3pm

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Revision Schedule

1 For Approval 1/1/20 For Review 8/3/20 For Revision 6/6/20 For Accessibility Review 12/7/20 7 For Approval (DA) 27/07/20



Building Services

St Marys Town Centre

Project Address

St Marys Walk Way, Off Queen Street and East Lane

Solar Study Summer

Project

Awning

File Location

Drawn

C:\dnp group\Works\Current_Work\226_19_St Marys\Structure_R01.rvt

Checked

Date

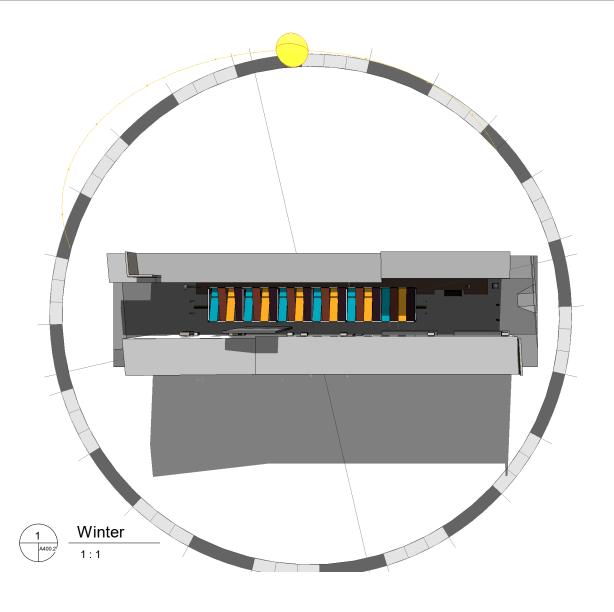
Paul Edwards Checker

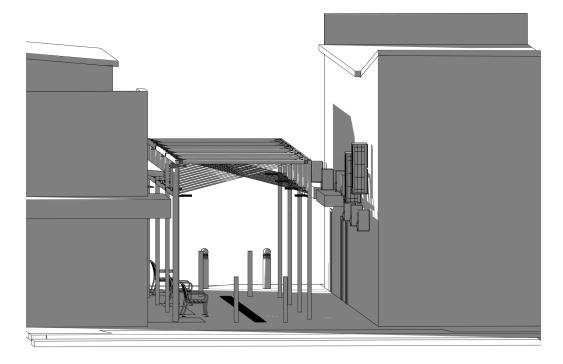
Scale

1:1 12/7/2020

Project No. Drawing No.

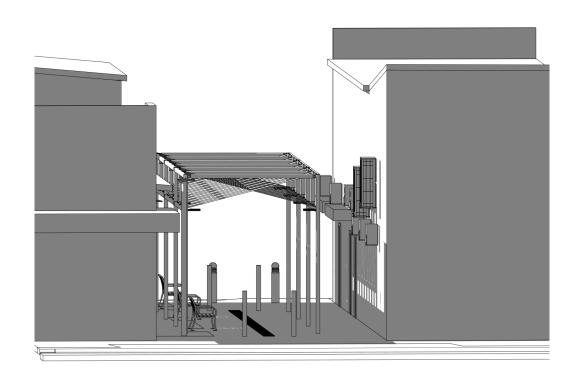
226_19 A400.1



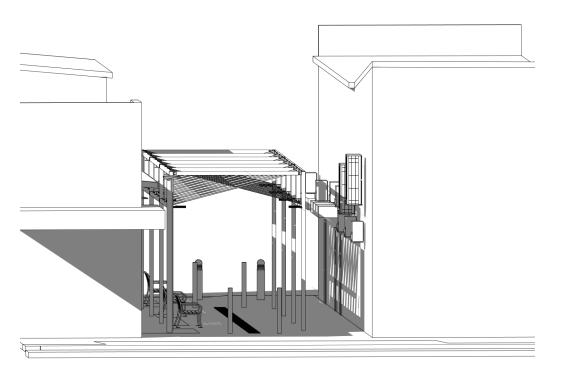




Winter Solstice 9am







Winter Solstice 3pm

- Use figured dimensions. Do not scale from drawing.
 All dimensions are in millimeters.
 Drawings to be read in conjunction with specifacations and/or schedules.



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Revision Schedule

1 For Approval 1/1/20 For Review 8/3/20 For Revision 6/6/20 For Accessibility Review 12/7/20 7 For Approval (DA) 27/07/20



Building Services

St Marys Town Centre

Project Address

St Marys Walk Way, Off Queen Street and East Lane

Solar Study Winter

Project

Drawn

Awning

File Location

C:\dnp group\Works\Current_Work\226_19_St Marys\Structure_R01.rvt

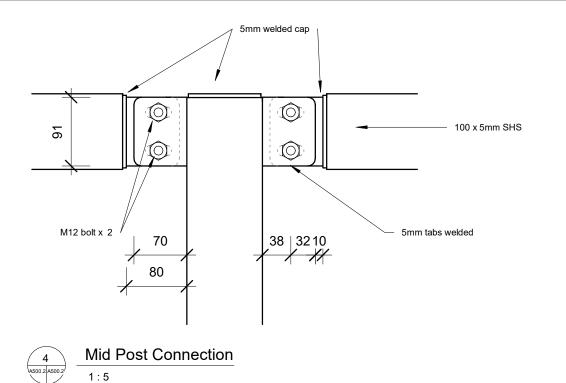
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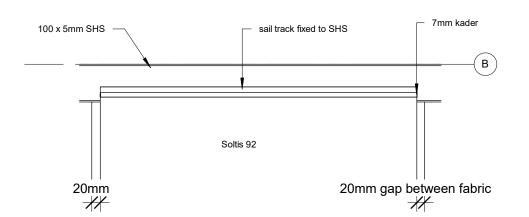
Paul Edwards Checker

Scale Date 1:1 12/7/2020

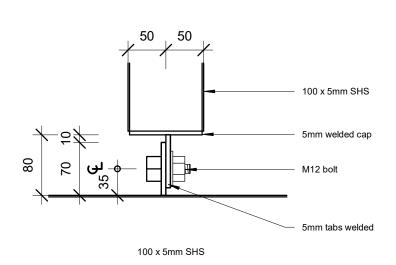
Project No. Drawing No.

226_19 A400.2



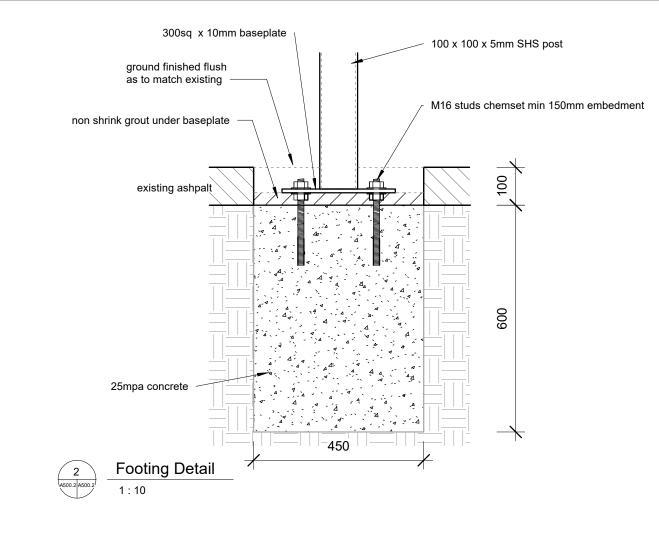


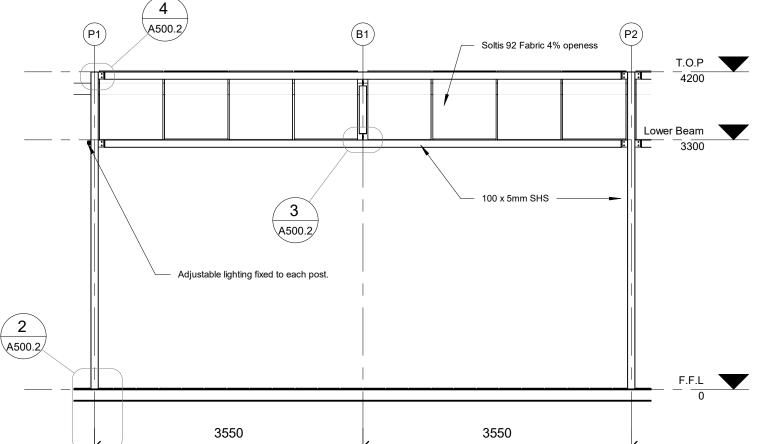




Mid Brace Connection

South - Detail 1:50





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 Drawings to be read in conjunction with specifacations



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Revision Schedule

For Approval 1/1/20 For Review 8/3/20 6/6/20 For Revision For Accessibility Review 12/7/20

7 For Approval (DA) 27/07/20



Building Services

St Marys Town Centre

Project Address

St Marys Walk Way, Off Queen Street and East Lane

Drawing

Details

Project

Awning

File Location

C:\dnp group\Works\Current_Work\226_19_St Marys\Structure_R01.rvt

Drawn

Paul Edwards Checker

Checked

Scale Date

12/7/2020 As indicated

Project No. Drawing No.

226_19 A500.2

Document Set ID: 9280320 Version: 1, Version Date: 20/08/2020





- 1. Use figured dimensions. Do not scale from drawing.
 2. All dimensions are in millimeters.
 3. Drawings to be read in conjunction with specifacations and/or schedules.



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Revision Schedule

1 For Approval 1/1/20 For Review 8/3/20 For Revision 6/6/20 For Accessibility Review 12/7/20 7 For Approval (DA) 27/07/20





Building Services

St Marys Town Centre

Project Address

St Marys Walk Way, Off Queen Street and East Lane

Drawing Renders

Project

Awning

File Location

C:\dnp group\Works\Current_Work\226_19_St Marys\Structure_R01.rvt

Checked Drawn Paul Edwards Checker

Scale

Date 12/7/2020

Project No. Drawing No.

226_19 A600.1







NUIES
 Use figured dimensions. Do not scale from drawing.
 All dimensions are in millimeters.
 Drawings to be read in conjunction with specifacations and/or schedules.



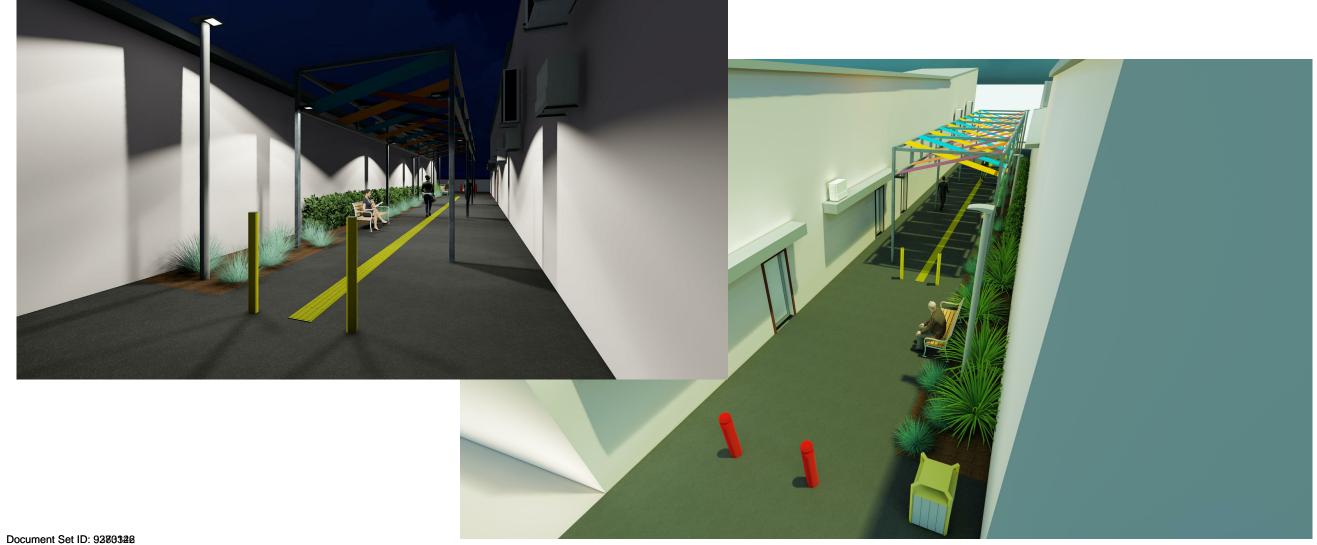
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Revision Schedule

1 For Approval 1/1/20 For Review 8/3/20 For Revision 6/6/20 For Accessibility Review 12/7/20

7 For Approval (DA)

27/07/20





Building Services

St Marys Town Centre

Project Address

St Marys Walk Way, Off Queen Street and East Lane

Drawing

Renders

Project Awning

File Location C:\dnp group\Works\Current_Work\226_19_St Marys\Structure_R01.rvt

Scale

Checked Drawn Checker

Paul Edwards

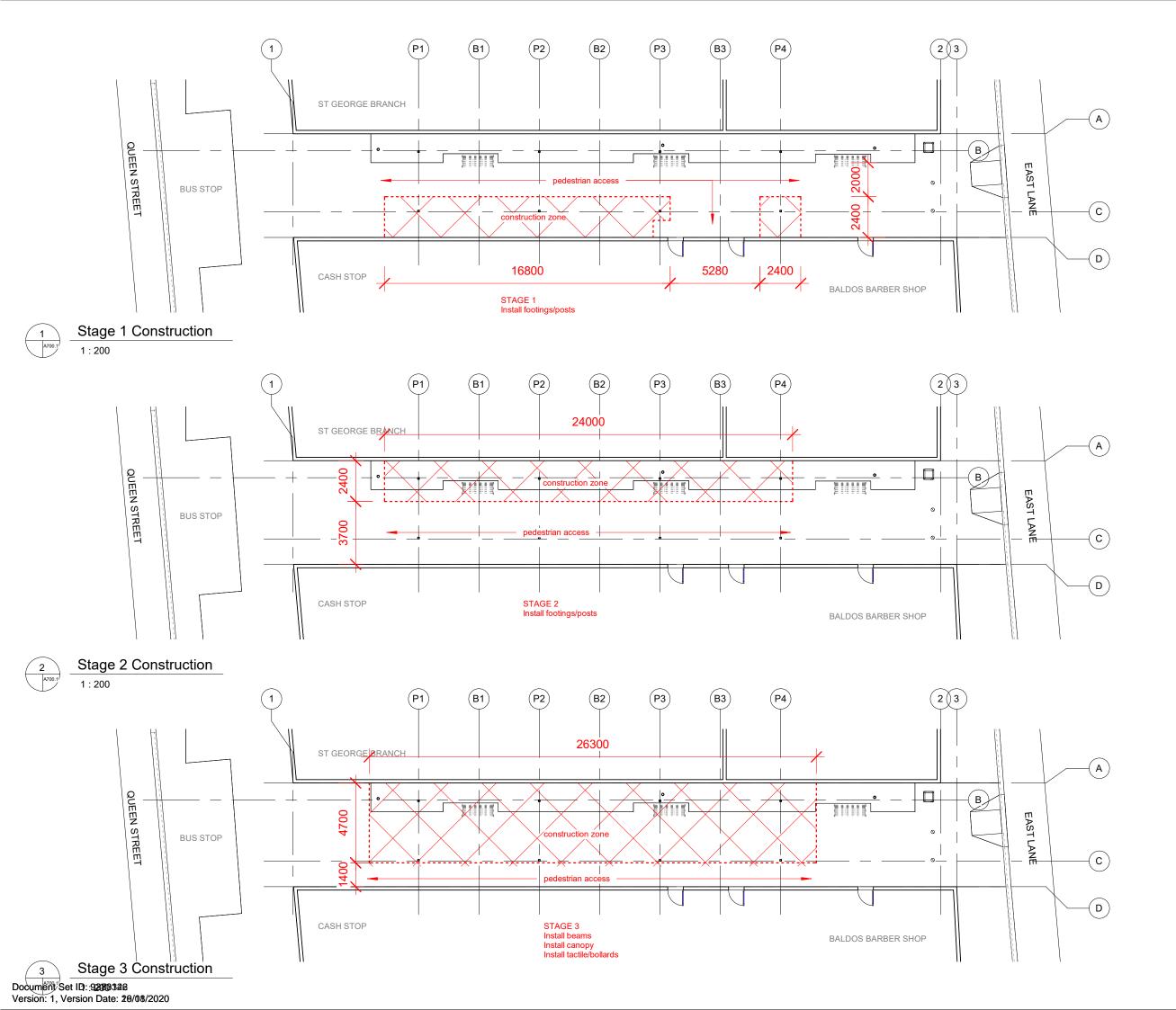
Date

12/7/2020

Project No. Drawing No.

226_19 A600.2

Version: 1, Version Date: 29/08/2020



Use figured dimensions. Do not scale from drawing.
 All dimensions are in millimeters.
 Drawings to be read in conjunction with specifacations



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Revision Schedule

1	For Approval	1/1/20
2	For Review	8/3/20
3	For Revision	6/6/20
6	For Accessibility Review	12/7/20
7	For Approval (DA)	27/07/20



Building Services

St Marys Town Centre

Project Address

St Marys Walk Way, Off Queen Street and East Lane

Pedestrian Managment

Project

Scale

Awning

File Location

C:\dnp group\Works\Current_Work\226_19_St Marys\Structure_R01.rvt

Drawn

Checked

Date

Paul Edwards Checker

1:200 12/7/2020

Project No. Drawing No. A700.1

226_19



Soltis Perform 92





Main applications

Facade blinds, conservatory and glassroof blinds, shadesails



A real heat shield

Thanks to its micro-ventilation system, Soltis 92:

- regulates the sun's heating effects,
- limits the greenhouse effect.

Such unrivalled performances enable to reduce:

- the use of air-conditioning,
- to reduced energy expenditure of the building.

Transparency without glare

A large choice of colours to increase technical and aesthetic solutions:

- to choose the appropriate light transmission coefficient (TV),
- to conserve visibility toward the outside,
- to ensure privacy for inhabitants.

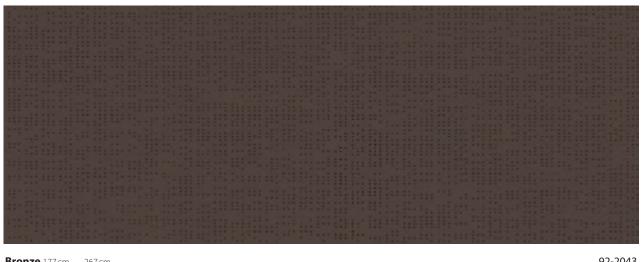
Creation of color universe

- colours coordinated with other Serge Ferrari Architecture ranges,
- combination of performance and aesthetic.

Placed outside, Soltis Perform 92 blocks until 97% of the heat



The colours and textures represented in this document are provided as a reference only.

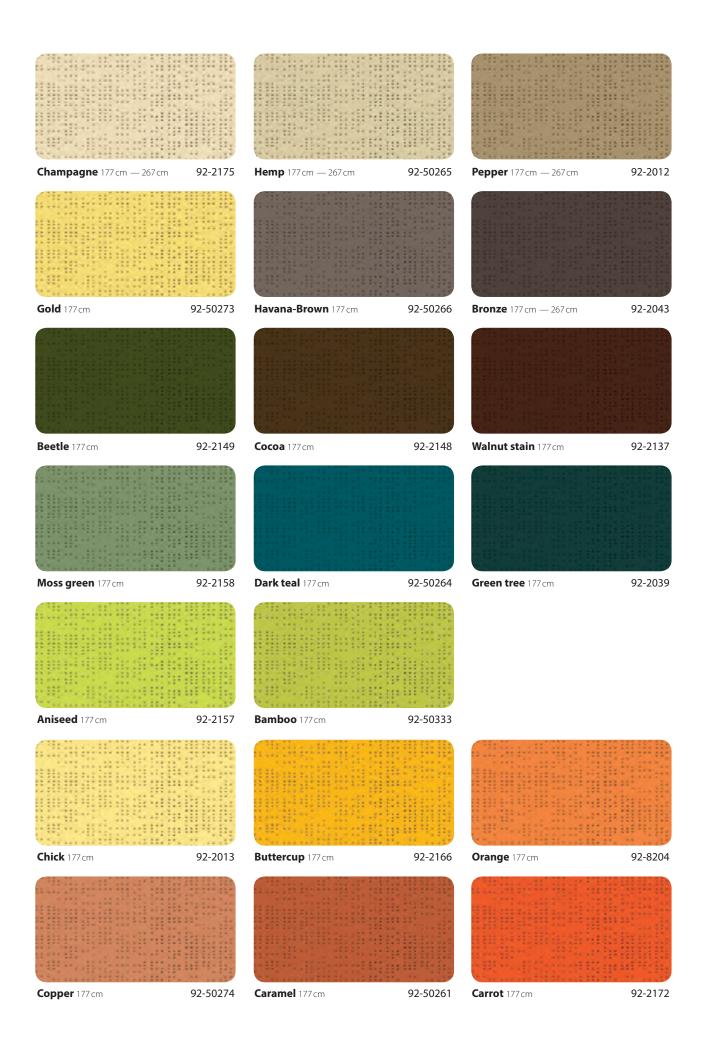


Bronze 177 cm — 267 cm 92-2043 **White** 177 cm — 267 cm 92-2044 **Boulder** 177 cm — 267 cm Alu/Anthracite 177 cm 92-2068 92-2171 92-2045 Sandy beige 177 cm — 267 cm 92-2135 **Alu/White** 177 cm — 267 cm 92-2051 Beaten metal 177 cm — 267 cm 92-50272 **Alu/Oat** 177 cm — 267 cm 92-2046 92-2167 **Cloud** 177 cm — 267 cm **Concrete** 177 cm — 267 cm Interferential grey 177 cm **Alu/Alu** 177 cm — 267 cm 92-2048 92-2065 **Anthracite** 177 cm — 267 cm 92-2047

Black 177 cm — 267 cm

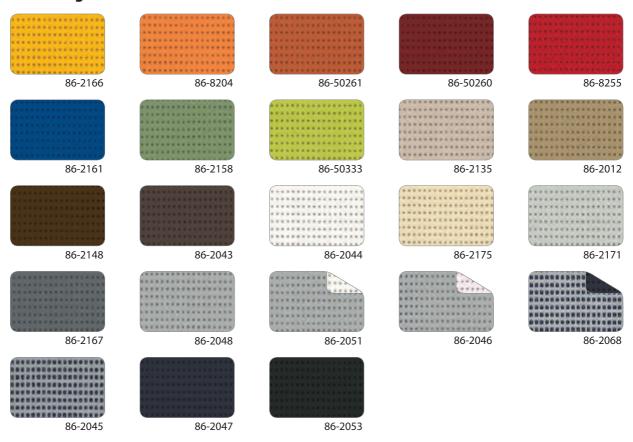
92-2053

Alu/Medium grey 177 cm — 267 cm **92-2074**





Matching colours with Soltis Horizon 86



■ Exclusive Précontraint® technology

Patented worldwide, the Précontraint® Serge Ferrari technology involves keeping the composite under tension throughout the manufacturing cycle. It gives our materials exceptional performance that enable them to surpass market standards in terms of dimensional stability, mechanical strength, coating thickness and flatness.



Document Set ID: 9280326 Version: 1, Version Date: 20/08/2020

Solar and light properties (EN 14501)

		Width (cm)		TS RS	RS	AS	TV n-h	TV n-n	EN 13363-1* Type "C" glazing		EN 13363-2** Type "D" glazing	
		177	267						g _{tot} e	g_{tot}^{i}	g _{tot} e	g_{tot}^{i}
92-2012		•	•	7	30	63	6	5	0.10	0.47	0.04	0.24
92-2013		•		18	57	25	16	4	0.14	0.39	0.07	0.17
92-2039		•		4	8	88	3	3	0.10	0.54	0.04	0.29
92-2043		•	•	4	13	83	3	4	0.10	0.53	0.04	0.28
92-2044		•	•	19	68	13	17	3	0.14	0.35	0.07	0.11
92-2045		•	•	4	35	61	4	4	0.08	0.45	0.03	0.22
92-2046 A		•	•	12	46	42	10	4	0.12	0.42	0.05	0.18
92-2046 B		•	•	12	63	25	10	4	0.10	0.37	0.05	0.14
92-2047		•	•	5	8	87	5	4	0.11	0.54	0.04	0.28
92-2048		•	•	8	46	46	8	3	0.09	0.42	0.04	0.18
92-2051 A		•	•	12	49	39	11	4	0.11	0.41	0.06	0.17
92-2051 B		•	•	12	70	18	11	4	0.10	0.34	0.05	0.10
92-2053		•	•	3	6	91	3	3	0.10	0.55	0.04	0.29
92-2065		•		10	46	44	7	4	0.11	0.42	0.05	0.19
92-2068 A		•		4	34	62	4	4	0.08	0.46	0.03	0.22
92-2068 B		•		4	8	88	4	4	0.10	0.54	0.04	0.28
92-2074 A		•	•	4	37	59	4	4	0.08	0.45	0.04	0.21
92-2074 B		•	•	4	25	71	4	4	0.09	0.49	0.03	0.24
92-2135		•	•	11	46	43	8	4	0.11	0.42	0.04	0.19
92-2137		•		3	8	89	3	3	0.10	0.54	0.04	0.29
92-2148		•		3	14	83	3	3	0.09	0.52	0.04	0.27
92-2149		•		5	16	79	4	4	0.10	0.52	0.04	0.27
92-2152		•		16	35	49	5	4	0.15	0.46	0.05	0.26
92-2157		•		15	51	34	10	3	0.13	0.40	0.05	0.20
92-2158		•		7	28	65	5	4	0.10	0.48	0.03	0.24
92-2160		•		11	36	53	5	5	0.12	0.45	0.04	0.24

	Wic (cr		TS	RS	AS	TV n-h	TV n-n	Typi glaz	e"C"		e "D" zing
	177	267						g _{tot} e	g_{tot}^{i}	g _{tot} e	g_{tot}^{i}
92-2161	•		9	21	70	5	3	0.12	0.50	0.04	0.27
92-2163	•		9	42	49	4	3	0.10	0.43	0.04	0.21
92-2164	•		10	45	45	4	3	0.11	0.42	0.04	0.21
92-2166	•		21	54	25	17	4	0.16	0.40	0.07	0.19
92-2167	•	•	6	19	75	5	5	0.11	0.51	0.04	0.26
92-2171	•	•	8	41	51	6	4	0.10	0.43	0.04	0.20
92-2172	•		19	43	38	8	4	0.16	0.43	0.06	0.24
92-2175	•	•	19	65	16	17	4	0.14	0.36	0.07	0.14
92-8204	•		21	45	34	11	5	0.17	0.43	0.07	0.23
92-8255	•		12	28	60	4	3	0.13	0.48	0.05	0.27
92-50260	•		5	14	81	4	4	0.10	0.52	0.04	0.28
92-50261	•		15	40	45	6	5	0.14	0.44	0.04	0.25
92-50264	•		5	13	82	4	3	0.11	0.53	0.04	0.28
92-50265	•	•	9	49	42	6	3	0.10	0.41	0.04	0.18
92-50266	•		4	19	77	4	3	0.09	0.51	0.03	0.26
92-50267	•		6	27	67	3	3	0.10	0.48	0.04	0.26
92-50268	•		16	37	47	5	4	0.15	0.45	0.05	0.25
92-50269	•		9	35	56	5	3	0.11	0.45	0.04	0.23
92-50270	•		4	18	78	3	3	0.10	0.51	0.04	0.27
92-50271	•		11	36	53	4	3	0.12	0.45	0.04	0.24
92-50272	•	•	12	55	33	9	3	0.11	0.39	0.05	0.16
92-50273	•		8	42	50	5	3	0.10	0.43	0.04	0.21
92-50274	•		8	35	57	4	3	0.10	0.46	0.04	0.24
92-50333	•		11	37	52	7	3	0.12	0.45	0.05	0.23
92-50336	•		7	18	75	3	3	0.11	0.51	0.04	0.28
92-50342	•		6	10	84	4	4	0.11	0.54	0.05	0.29

\\/idth

EN 13363-1* EN 13363-2**

TS: Solar Transmission (%)

RS: Solar Reflection (%)

AS: Solar Absorption (%) TS+RS+AS=100% of incident energy

TV n-h: Normal-hemispherical visible light transmission (%)

TV n-n: Normal-normal visible light transmission (%)

A: Aluminium face exposed to the sun

B: Coloured face exposed to the sun

g_{tot} e: External solar factor $\mathbf{g}_{\mathsf{tot}}$: Internal solar factor

*Simplified method

These are used to calculate the g_{tot} value. Type "C" glazing is double glazing and insulated with low emissivity in position 3 (4 + 16 + 4; Argon-filled) g = 0.59 - U = 1.2.

**Detailed method EN 13363-2

EN 13363-1

The transmission and reflection values above are based on the integrated values of the glass combined with the screen. These are used to calculate the g_{tot} value. Type "D" glazing is double glazing and insulated with low emissivity in position 2 (4 + 16 + 4; Argon-filled) g = 0.32 - U = 1.1.

Soltis Perform 92

	Technical properties	Standards
Openess factor	4%	
Weight	420 g/m²— 12.4 oz/sqyd	EN ISO 2286-2
Thickness	0.45 mm — 450 microns	
Width	177 cm - 267 cm — 69.7 in 105.1 in	
	Length of rolls	
Standard format length in 177 cm	50 lm — 54.68 yds	
Standard format length in 267 cm	40 lm — 43.74 yds	
	Physical properties	
Tensile strength (warp/weft)	310/210 daN/5 cm	EN ISO 1421
Tear strength (warp/weft)	45/20 daN	DIN 53.363
	■ Flame retardancy	
Rating	Classe 1 /UNI 9177-87 — M1 /UNE 2	7 — Schwerbrennbar-Q1-Tr1 /ONORM A 3800-1 3.727-90 — VKF 5.2 /SN 198898 — 1530.3/ AS /NZS FPA 701 — CSFMT19 — Class A /ASTM E84
Euroclass	B-s2,d0 /EN 13501-1	
	Management systems	
Quality		ISO 9001

Certifications, labels, warranties, recycling









With **S+** Serge Ferrari goes further than the standards... (consult us for further information)

Tools and services

- ACV and FDES (Health and Environmental Datasheet) available on request
- Personalised service for simulating your project's thermal performance and related Soltis solar protection systems: please contact your Serge Ferrari representative
- $\hbox{-} Tool for evaluating energy savings generated by Solt is solar protection systems: www.textinergie.org$
- Document and photo libraries: www.sergeferrari.com

The technical data above are average values with a \pm -5% tolerance.

The buyer of our products is fully responsible for their application or their transformation concerning any possible third party. The buyer of our products is responsible for their implementation and installation in compliance with standards, codes of practice and safety regulations in force in destination countries. For information on our contractual warranty, please refer to the relevant terms and conditions.

The values quoted above represent results of tests performed in compliance with common design practices and are provided for information only to enable customers to make the best use of our products. Our products are subject to changes prompted by technological developments. We reserve the right to modify their reserve the right to modify the right to modify their reserve the right to modify the right to modify their reserve the right to modify the rcharacteristics at any time. The buyer of our products is responsible for checking the validity of the above data.

For metallic and interferential colours, a difference in shade may be observed in different roll widths for the same reference: small width (1770 mm) and large width (2670 mm). We advise strongly against combined assembly of these.













Ergon Consulting Pty Ltd Sydney Office 38A Chapel Street Marrickville NSW 2204 PO Box 265 Enmore NSW 2042 (02) 9557 0007 sydney@ergonconsulting.com.au www.ergonconsulting.com.au ABN: 41 694 776 796

Monday, July 13, 2020

ACN: 606 772 776

Revision B

St Marys Town Centre 207 Queen Street St Marys NSW 2760

ATT: Sue Fryer

RE: Proposed Shade Sail Structure within Existing Pedestrian Walkway
St Marys Walkway, Off Queen Street & East Lane St Marys NSW 2760
Statement of Access Design Compliance – Development Application

1. Introduction

Ergon Consulting has been engaged by the client St Marys Town Centre to provide accessibility advice relating to the proposed shade sail structure within the St Marys walkway, off Queen Street and East Lane. The walkway is a public pedestrian walkway and situated between existing buildings.

The shade sail structure has been proposed to provide shade from weather (i.e. sun, rain etc), improve the streetscape environment which will support local businesses, create a sense of vibrancy and promote a socially inclusive community.

2. Site Details

Site Address: St Marys Walkway, Off Queen Street & East Lane NSW 2760

Building Classifications: Class 10b

Building Description: Shade Sail Structure

3. Assessment

The purpose of our assessment is to review the design documentation (attached to Appendix A) prepared for the development application with reference to the following:

- Building Code of Australia (BCA) 2019 Part D3 (Access for people with a disability);
- Disability (Access to Premises Building) Standards 2010;
- AS1428.1-2009 (General requirements for access: New building work);
- AS1428.4.1-2009 (Means to assist the orientation of people with vision impairments: Tactile ground surface indicators);
- AS1680.3.1-2005 (Pedestrian Area Category P Lighting Performance and design requirements); and
- General best practice access requirements.

Consideration has been given to people with a disability including people with vision impairments such as people who are legally blind, or may have some vision or sensitivity to light.

It is noted the document should not be misinterpreted that it provides an assessment of OH&S regulations, WHS requirements or the DDA Act 1992. A site visit has not been undertaken of the site.

St Marys Town Centre - Queen St & East Lane St Marys - Statement of Access Design Compliance (DA) - Rev B.docx

Page 1 of 3



4. Recommendations

Following a general assessment of the design documentation, we have recommended that adjustable hardwired flood lights be installed to each structural post to provide uniform lighting for a person with a vision impairment throughout the walkway during low light conditions. The lighting must be connected to a sensor which switches the lighting on during low light conditions. The minimum luminaires and illuminance levels provided by the proposed lighting must comply with AS1158.3.1-2005 as required for public walkways.

Similarly, we have also recommended that directional tactile ground surface indicators complying with AS1428.4.1-2009 be provided at the centre of the walkway, from the start to the end, to assist a person with a vision impairment with directional information when travelling through the area. The directional cues can be detected either tactually through the feet, via a long cane and for people with residual vision via the minimum 30-45% luminance contrast criteria applied to the tactile indicators and the surrounding flooring.

5. Response to Council Query

In response to Penrith City Council's query "The proposed shade / light array does not comply with the Disability Discrimination Act lighting requirements for accessible path of travel. Accessible paths of travel shall be in accordance with Australian Standards and other relevant guides of best practice. This includes that pathways shall have consistent lighting (reflected downward – without pooling or producing glare). Also a minimum 30% luminance contrast between the pathway and path edges and background and adjacent surfaces. An independent access consultant audit is recommended", we confirm that the above recommendations address the concerns raised relating to the consistent lighting and luminance contrast requirements that may occur following installation of the proposed shade sail structure.

6. Statement of Access Design Compliance (DA)

This statement confirms accessibility has be appropriately achieved within the proposed new work and confirms the client's commitment to providing an equitable, and accessible environment for all.

As such, we believe the development approval should be issued as the proposed new work can achieve a reasonable level of access and meet statutory requirements, subject to detailed assessment of the construction design documentation.

We trust this statement of compliance is satisfactory. Should you have any questions, please do not hesitate to contact the undersigned on (02) 9557 0007.

Yours faithfully,

ERGON CONSULTING PTY LTD



Costa Miroforidis I Principal

Certificate IV in Access Consulting – IATA B. Construction Management and Property (Building) – UNSW Graduate Diploma in Building Surveying – UWS

Accredited Member of the Association of Consultants in Access Australia – ACAA Registered LHA Design Guideline Assessor – LHA Member of the Australian Institute of Building – AIB Member of the Australian Institute of Building Surveyors – AIBS



Appendix A

The below design documentation has been prepared by DNP Group.

Document Number	Rev	Title	Date
A101.2	6	Plan	12.07.20
A202.1	6	Elevations N & E	12.07.20

