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Ref: 10807

24 March 2016

General Manager Hunter & Central Coast
Department of Planning and Environment
PO Box 1226
NEWCASTLE NSW 2300

Attention: Ms Monica Gibson

Dear Ms Gibson

**RE: SUBMISSION – DRAFT PLAN FOR GROWING HUNTER CITY
1 BRICKWORKS ROAD, THORNTON**

APP Corporation have been engaged by Thornton North Group Pty Ltd, who are the owners of Lot 161 DP136183 (the site), 1 Brickworks Road Thornton, to prepare a submission to the NSW Department of Planning and Environment (DPE) in response to the Draft Plan for Growing Hunter City (Draft Hunter City Plan) which is currently on exhibition.

This submission seeks to: -

- Inform DPE of the strategic merit of this site for future urban development;
- Describe the site in the context of local and regional planning strategies, and the Maitland Local Environmental Plan, 2011;
- Describe the site in the context of the Draft Hunter City Plan, with a particular focus on the key actions for the *Maitland – New England Highway Corridor District*;
- Ensure that DPE recognise and include this site as part of an identified urban release area to ensure the final Hunter City Plan aligns with Maitland City Council's (Council) adopted strategic planning framework for the locality; and
- Provide a concept master plan for consideration which seeks to respond to the adopted strategic planning framework while recognising the key actions relevant to the site and district.

As the Hunter City Plan evolves from the draft placed on public exhibition, we believe the merits of the subject site should form part of the discussion concerning the efficient delivery of housing and infrastructure in the region and be identified as part of a wider urban release area involving land on the northern periphery of Thornton.



1.0 SITE DESCRIPTION AND CONTEXT

An opportunities and constraints plan (Ref 203464) has been prepared by DWP Suters which illustrates the site in the context of the surrounding landscape, while noting the key constraints to development identified within site.

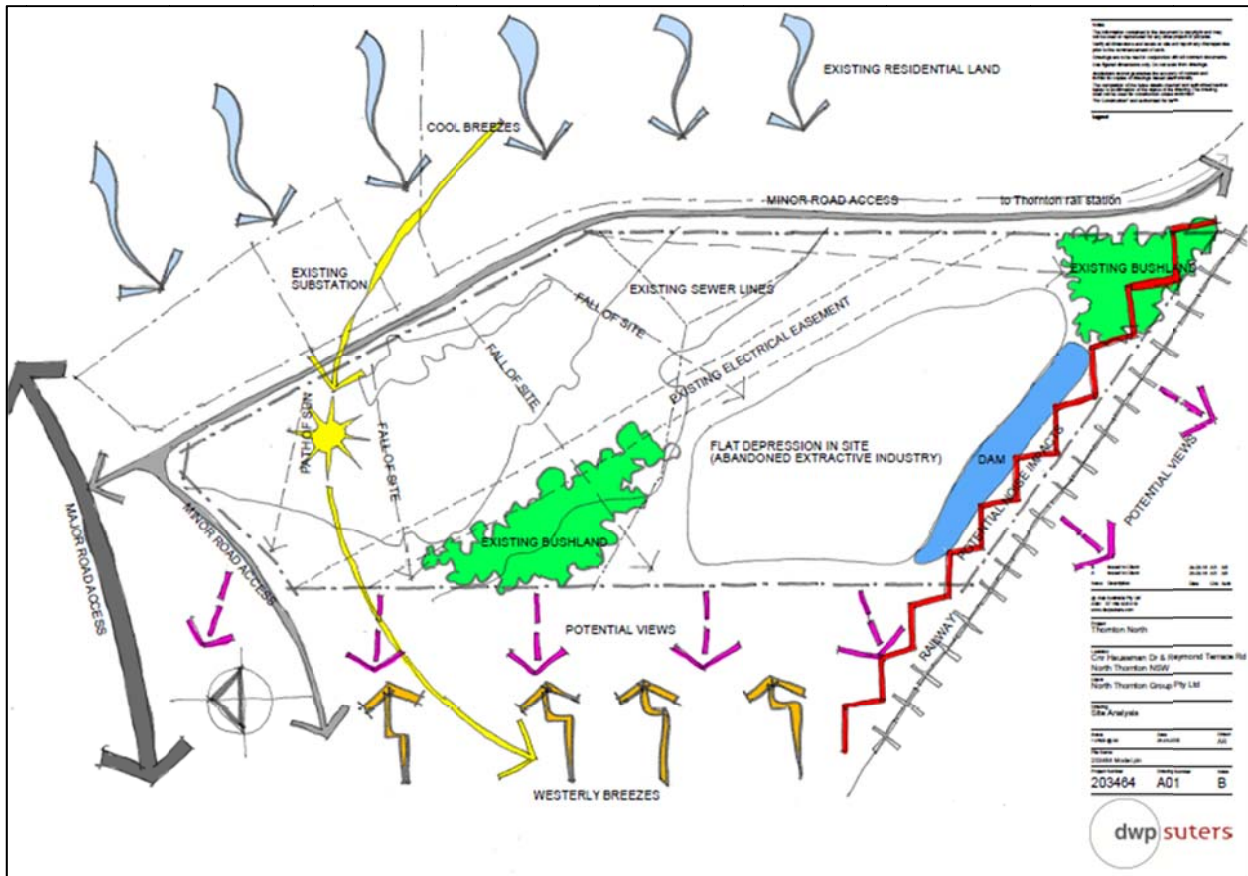


Figure 1.1 – Constraints Analysis Plan

A further analysis of the information provided on the opportunities and constraints plan is provided below:

1.1 Site Context

The site (Lot 161 DP136183) has an area of approximately 18 hectares and is located in the RU2 zone under the Maitland Local Environmental Plan, 2011. The site is bound by Haussman Drive to the east, Brickworks Road to the north and the Main Northern Rail Line to the south. Haussman Drive intersects with Raymond Terrace Road approximately 50 metres to the north of the site. To the east of Haussman Drive the land transitions to a conventional residential environment, with single detached dwellings observed as the predominant housing typology. To the north of Raymond Terrace Road, the land transitions to a mix of established rural residential allotments and new urban release areas (Waterford County) before transitioning to a rural landscape.

The Thornton Industrial Estate is found to the south east of the site, on the southern side of the Main Northern Railway and appears to be fully occupied. This estate accommodates a range of employment generating industries, warehousing, bulky goods retailing and other service industries.

To the west of the site, the land has historically been utilised for clay extraction in a similar manner to the subject site. Material historically won from these holdings supported the operation of the now abandoned PGH Brickworks at Metford.

1.2 Servicing and Infrastructure

The established residential land at Thornton is serviced by a local shopping centre, anchored by a Coles Supermarket, and the Thornton Public School. Public transport services the locality, inclusive of the subject site, with the Thornton Railway Station situated approximately 400 metres to the east, while regular bus services connect the site and surrounds to localities such as Green Hills Shopping Centre, Maitland, Raymond Terrace and beyond.

The site has access to reticulated services including water, sewer, electricity, natural gas and telecommunications, which are found either within the site or in the adjacent road reserve. It is expected that there is spare capacity to service the subject site, however a full servicing strategy would form an essential part of any future planning proposal over the site to verify capacity or document options for augmentation.

The proximity of such services and public transport services to the site would allow for the efficient and cost effective development of the land for urban purposes.

1.3 Constraints Analysis

An extractive industry involving the winning of clay to support the PGH Metford Brickworks historically operated on the site. This activity was abandoned a number of years ago, but has resulted in a heavily modified landform across much of the site, including a significant extraction pit and dam across the southern third of the site. The owners have secured development consent (DA15-1803) from Council to undertake earthworks and landfilling to reshape and regrade the existing landform which will assist in facilitating future urban development within the site. A copy of the approved earthworks plan is enclosed as Attachment 1.

Outside of these areas, two isolated pockets of remnant vegetation are found, which are understood to be representative of Endangered Ecological Community (EEC) *Lower Hunter Spotted Gum Iron Bark Forest*. While the biodiversity values of these pockets has not been assessed, there is evidence to suggest that direct clearing activities, edge effects, weed infestation and other modifying factors associated with historic landuses have significantly impacted the value of this EEC on the site. Notwithstanding these observations, any future planning proposal would need to assess the biodiversity values of all ecological communities and vegetation found on site and, if necessary, present a biodiversity offset outcome or equivalent.

A thirty (30) metre wide easement containing overhead power lines traverses the site in a north west to south east direction. Any master planning exercise associated with a future planning proposal would need to ensure any restrictions limiting development underneath or adjacent to the overhead power lines are recognised, or alternately investigate the feasibility of relocation / realignment of this infrastructure to optimise the land available for urban development.

2.0 PLANNING CONTEXT

2.1 Maitland Local Environmental Plan 2011

The site is situated in the RU2 – Rural Landscape Zone, under the Maitland LEP, 2011. The residential land found on the eastern side of Haussman Drive is zoned R1 – General Residential while the land to the immediate north of the R1 – General Residential land is also zoned RU2 – Rural Landscape. Figure 2.1 provides an extract from the adopted land use zone map.

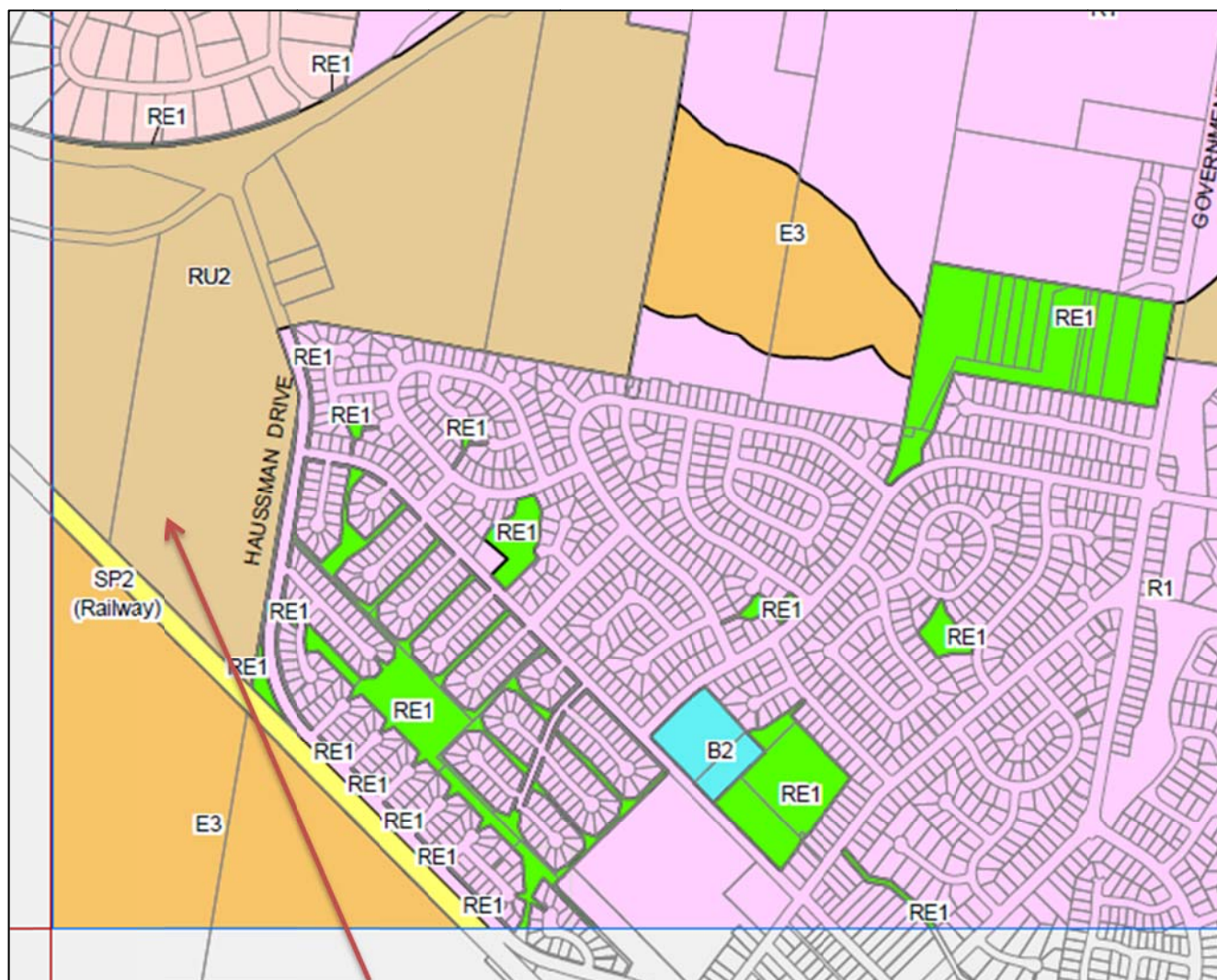


Figure 2.1 – Zoning Map Subject site

The Maitland LEP, 2011 shows the land as containing an 'identified resource' to which Clause 13 of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 applies. Clause 13 includes matters which must be considered in the assessment of development applications on, or within the vicinity of 'identified land'. Figure 2.2 provides an extract from the relevant LEP map and illustrates the location of 'identified land', including the subject site.



Figure 2.2 – LEP Resource Map – Subject Site

2.2 Maitland Urban Settlement Strategy 2001 – 2020

The Maitland Urban Settlement Strategy (MUSS) seeks to provide the broad direction for future urban growth in the Maitland LGA. The MUSS aims to provide both flexibility and certainty by maintaining a supply of land for residential growth on a number of development fronts throughout the Maitland LGA, with the objective of meeting market demand. It seeks to provide a logical hierarchy for urban development and make provision for population and employment growth over a 15 – 25 year period.

The MUSS was first adopted in 2001 and is periodically reviewed, with the latest iteration adopted by Council in 2012.

Importantly the MUSS identifies the site as part of a 47 hectare precinct described as the '*Thornton Category 1 Employment Lands (Brickworks Road)*'. The MUSS identifies constraints to development in a similar manner to that provided in this submission and on this basis discounts the future use of the site for residential purposes. Instead, the MUSS quantifies the identification of the precinct as future employment lands through expressing the need for additional employment lands within the eastern quarter of the LGA due to the 'saturation' of existing industrial areas. Notwithstanding these considerations, the MUSS also recognises the attributes which lend the site to a higher landuse than that currently available under the RU2 Zone. These attributes include the sites accessibility and proximity to established residential areas.

Figure 2.3 below shows the location of the land identified as the *Thornton Category 1 Employment Lands (Brickworks Road)* and the approximate location of the site within this precinct.

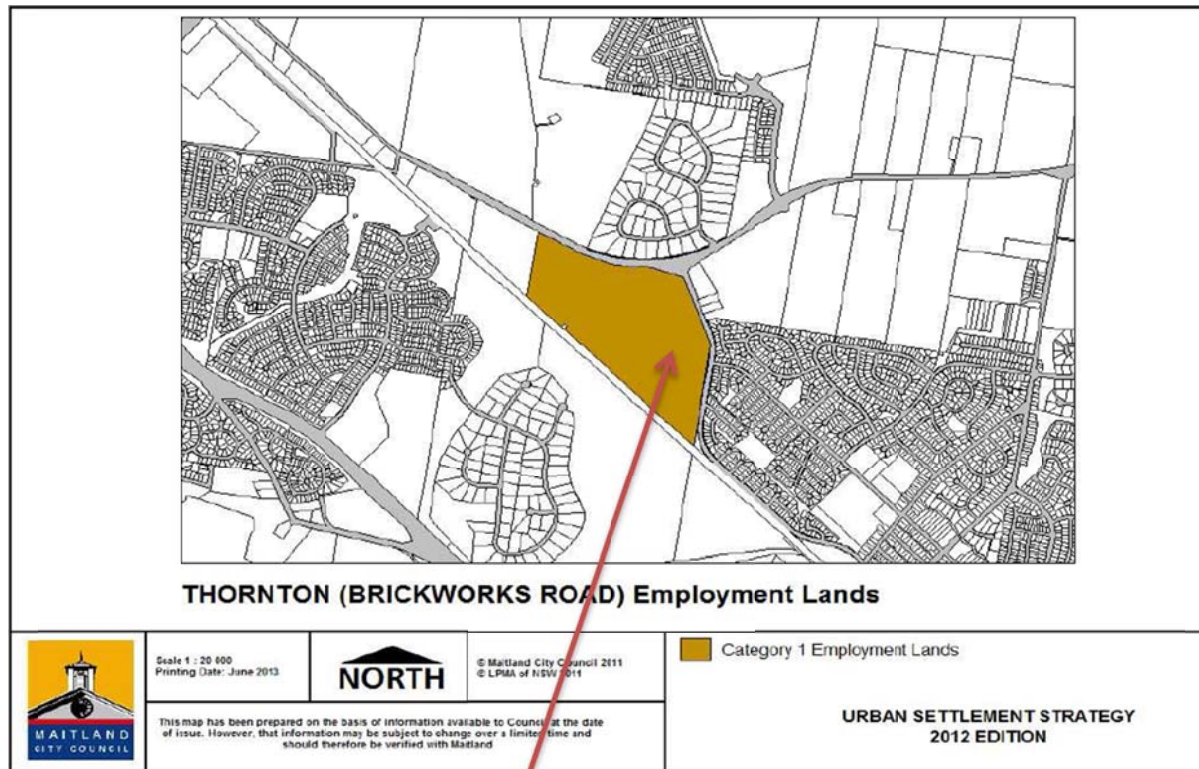


Figure 2.3 – MUSS Subject Site

2.3 Lower Hunter Regional Strategy 2006

The Lower Hunter Regional Strategy (LHRS), 2006 outlines strategies and directions to guide growth in the region for a 25 year period. Broadly, this strategy seeks to accommodate up to 160,000 more people across the region within 115,000 new homes while providing up to 66,000 new jobs.

The site is located within the boundaries of an identified '*proposed urban area*' extending to north, east and west of the existing township of Thornton. The LHRS also notes that the boundaries of the proposed urban area are to be refined through local planning studies. As such, the MUSS (2012 revision) is thought to offer such refinement and clearly shows the site as part of a larger proposed urban area.

2.4 Discussion

Moving forward to 2016, the Lower Hunter Region has evolved markedly since the adoption of the LHRS in 2006 and most recent version of the MUSS (2012 revision). Key pieces of infrastructure such as the Hunter Expressway have been completed, the planning framework for employment lands in the Thornton / Beresfield area has progressed, investment in the coal industry and associated infrastructure and services industries has peaked and is now in decline, while the State Government has committed to deliver the Metford Hospital by 2021 and secured a site for this important piece of public health infrastructure. The breadth of such changes also requires a change in thinking with respect to the subject site both regionally and locally. These changes are contemplated in general terms below:

- **Hunter Expressway**

The Hunter Expressway opened in March 2014 and stands as a significant enabler and region shaper. In addition to providing new opportunities in and around new interchanges associated

with the expressway, it frees up capacity on road infrastructure which was previously operating at or near capacity. The additional capacity now available on road infrastructure such as the New England Highway, John Renshaw Drive and Weakleys Drive creates further opportunities to develop along these corridors.

Neither the LHRs or MUSS fully consider the likely impacts of the Hunter Expressway on the Maitland LGA. At the time the LHRs was adopted, the Hunter Expressway project had not been funded and LHRs only offers 'support' to secure on going funding for this infrastructure. In the case of the MUSS it merely describes the 'southern bypass' as infrastructure that will have an influence on the timing and suitability of urban and industrial land release, particularly in the western sector of the LGA, and does not appear to contemplate or give regard to any changes across the eastern end of the LGA.

It is considered that future strategies, including the Draft Hunter City Plan, will need to refocus objectives relating to employment lands towards those areas which can derive the greatest benefit from the Hunter Expressway, such as the New England Highway, John Renshaw Drive and Weakleys Drive while also reconsidering the highest and best use for lands identified in outdated strategies. In the case of the *Thornton Category 1 Employment Lands (Brickworks Road)* precinct, we are of the opinion that the land is not ideally situated to capitalise on the benefits of the Hunter Expressway, while the capacity of the land to accommodate a more intensive urban use including some form of residential development should be considered. In summary, the completion of the Hunter Expressway requires that the objectives for and function of the precinct as future Employment Lands be reconsidered.

- **Status of Employment Lands at Thornton and Beresfield**

The MUSS recognises the capacity of the subject site, as part of a 47 hectare precinct, to accommodate future urban development. The MUSS goes on to identify an employment lands outcome for the precinct as the most appropriate and desirable future land use, in preference to a residential use(s), based on the perceived saturation of existing employment lands across the eastern sector of the LGA.

In making this recommendation, the MUSS does not contemplate the status or strategic implications of employment generating lands situated in the western part of the Newcastle LGA, namely at Beresfield and Black Hill as identified in the LHRs, 2006. Failure to explore the implications of such land on demand for identified employment lands in the MUSS brings into question the notion that there is an undersupply of employment lands in this broader locality.

The LHRs, 2006 identifies a large precinct of land around Beresfield and Black Hill as 'future employment lands'. This is illustrated below in Figure 2.4.



Figure 2.4 – LHRs 2006 **Subject Site**

In the time since the LHRs was adopted and since the last review of the MUSS, a significant parcel of land (in the order of 183 hectares) has been rezoned to IN2 – Light Industrial with a concept plan approval at Black Hill (Coal and Allied Land). Once fully occupied, this site is earmarked to generate approximately 3,600 full time equivalent jobs.

This precinct, along with other land zoned for employment purposes on the northern side of John Renshaw Drive at Beresfield, is expected to meet the demand for employment lands in the wider locality (including Thornton). The context of this proposal in relation to the subject site is provided in Figure 2.5 below:

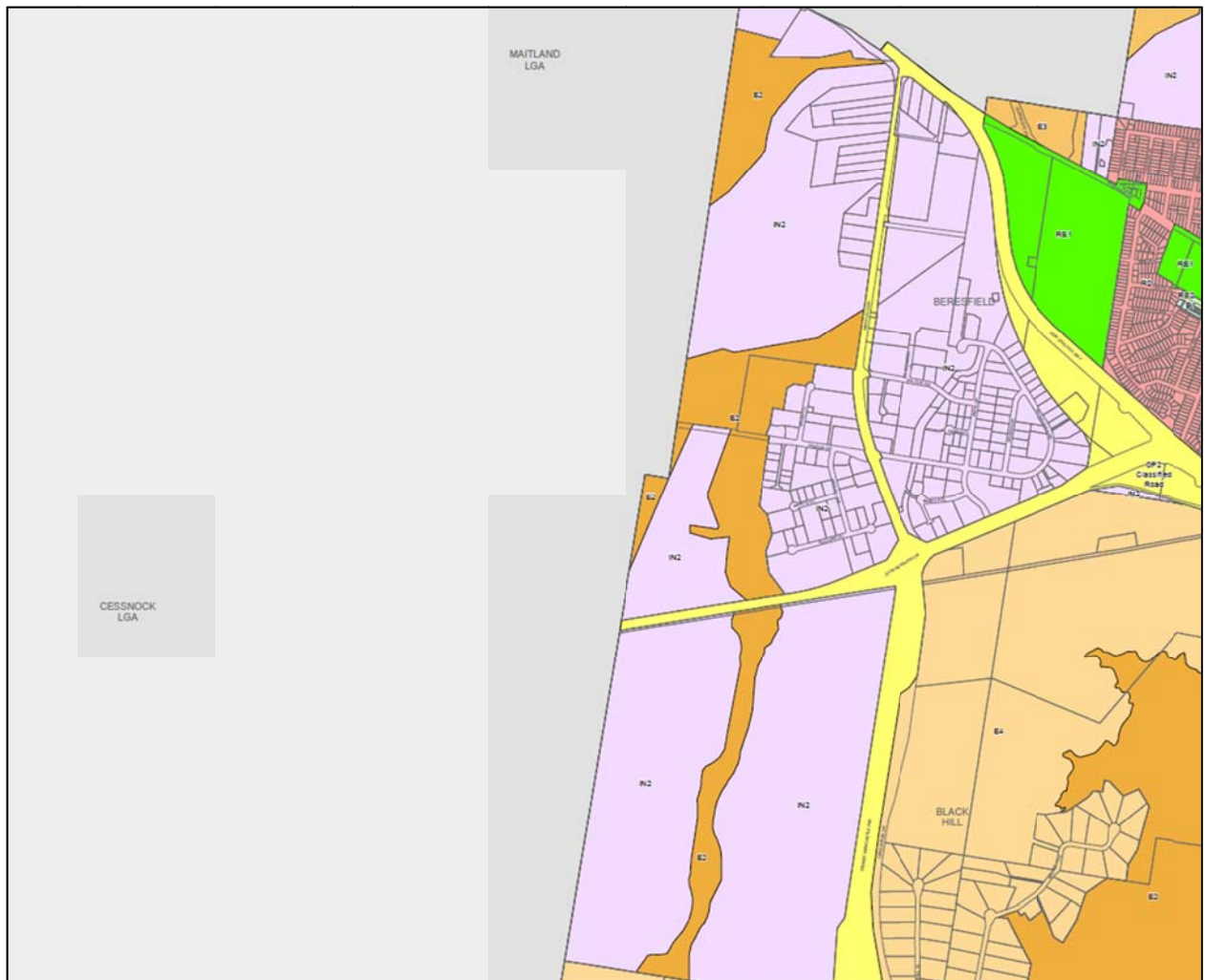


Figure 2.5 – Beresfield / Black Hill Employment Lands

When compared with the *Thornton Category 1 Employment Lands (Brickworks Road)*, the Beresfield / Black Hill precinct is more likely to be developed as employment land as it has:

- an appropriate land use zone already in place to facilitate this form of development;
- concept plan approval has already been secured from DPE; and
- substantially better access to regional road infrastructure.

This will reduce the need to develop the site entirely for employment purposes.

- **Metford Hospital Site**

The Metford Hospital Site is situated approximately 3.1km to the west of the site. The hospital site was only identified in 2013 and thus was not considered in the MUSS or LHRS. The hospital alone will generate approximately 1000 full time equivalent jobs. In addition to the hospital, it is expected that surplus land adjacent to the hospital site will be developed for complementary, medical related uses, increasing the employment generating capacity of this precinct.

The NSW State Government has committed to having this facility operational by 2021.

It is expected that this facility will generate additional demand for housing in the periphery of the hospital. It is considered that the site will assist in satisfying this additional demand.

As the Draft Hunter City Plan evolves, the flow on effects of the hospital and other complementary uses on local housing demand should be considered.

For the reasons expressed in the above discussion, it is felt that the Draft Hunter City Plan should refocus the strategic intent for the site as a part of the *Thornton Category 1 Employment Lands (Brickworks Road)* precinct away from a pure employment lands precinct and the merits of residential development further investigated.

3.0 RESPONSE TO DRAFT PLAN FOR GROWING HUNTER CITY

3.1 District Structure Plan

The site is identified in the Draft Hunter City Plan as being located in the *Maitland – New England Highway Corridor District (MNEHCD)*. The location of the site in the context of this district is illustrated in the structure plan extracted in Figure 3.1 below:



Figure 3.1 – Maitland New England Highway Corridor District Subject Site

As expressed elsewhere in this submission, the site **does not** form part of an identified urban release area in the Draft Hunter City Plan, despite the fact it is clearly identified within the relevant local planning strategy (the MUSS) as being earmarked for future urban development. It is therefore **essential** that this is rectified as the Draft Hunter City Plan evolves towards a final document. This will ensure that the final Hunter City Plan captures land which has been identified by Council as being a potential urban development precinct.

3.1 Sequential Urban Growth

It is noted that the Draft Hunter City Plan identifies the sequencing of urban growth as a key direction for the MNEHC District and sets an action plan to develop an LGA wide land use and infrastructure strategy to coordinate the planning and delivery of urban land and infrastructure.

As part of this direction, the Draft Hunter City Plan notes that:

“To maximize the efficient use of infrastructure and sufficient housing choice, new land releases will be sequenced for development in a pipeline of growth sites that will meet short, medium and long term demand. Prioritised sites will build on and extend existing urban development and capitalize on existing and committed infrastructure”

While it is noted that the Draft Hunter City Plan only provides a commitment to develop a local and use and infrastructure strategy which would refine the sequencing of urban development in the district, it is felt that the attributes of the site, as described in Section 1 of this submission, would meet the relevant prioritisation criteria contained in the Draft Hunter City Plan. This is reflected in the below concept master plan (Figure 3.2) which articulates how the site could be developed in a manner which builds on and integrates with existing urban development in the locality.

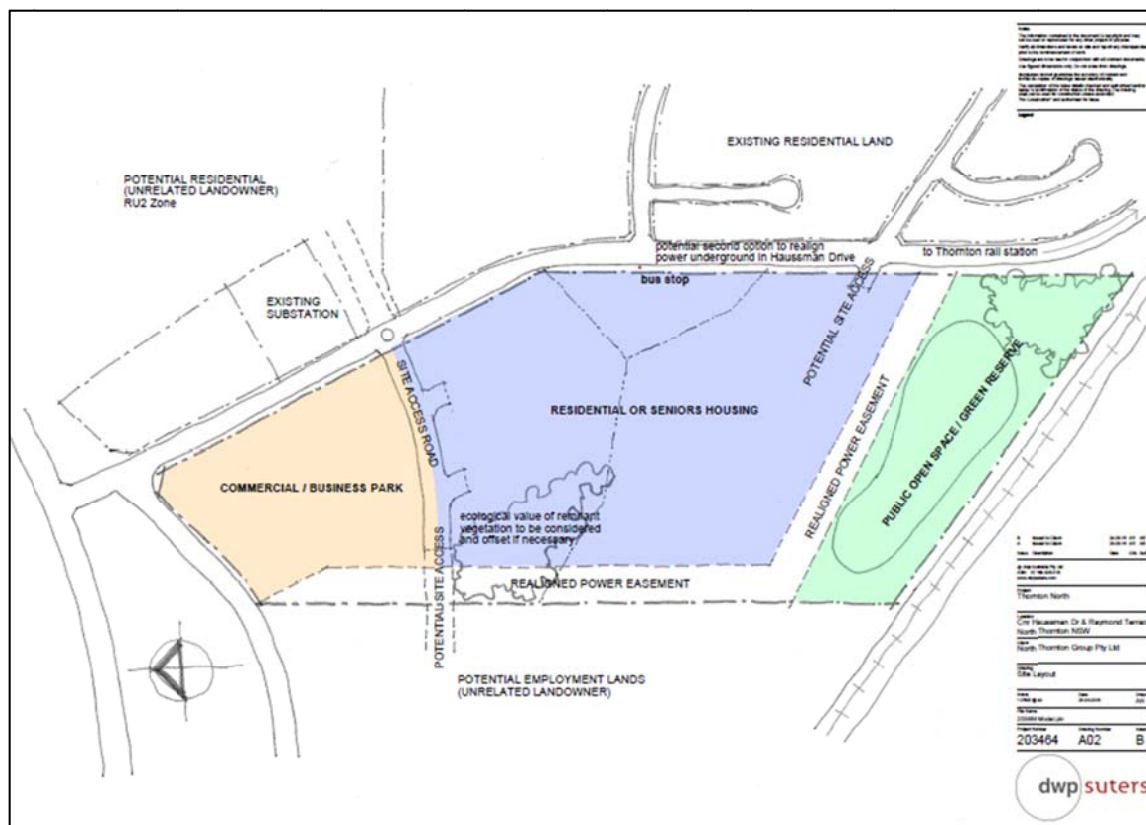


Figure 3.2 – Concept Master Plan (DWP Suturs)

Key features of the concept master plan include:

- Proposed land use outcomes which directly respond to key site constraints and opportunities and the existing (and likely future) land use and development outcomes in the locality;
- Provision of a smaller employment lands component within the northernmost part of the site adjacent to Raymond Terrace Road and the large substation facility on the eastern side of Haussman Drive. We believe this precinct has the potential to provide ‘neighbourhood scale’ employment opportunities and ancillary services for the residents of the Thornton / Thornton North area;
- Provision of a residential landuse precinct (possibly including a seniors component) within the central most part of the site which is located adjacent to the existing residential development and low scale built form on the eastern side of Haussman Drive. It is thought that this residential precinct would likely have capacity to deliver in excess of 150 dwellings in a mix of conventional residential allotments, multi-unit dwellings and integrated seniors housing development;
- Provision of an open space type area within the southernmost part of the site adjacent to the railway corridor;
- Adopting vehicular access and infrastructure arrangements on Haussman Drive which ensure this site properly integrates with nominated future residential release areas situated to the north east of the site. Please note that the provision of a shared / common access arrangement has

been discussed with a representative of the proponent behind the future residential release area (the McCloy Group) who offered 'in principle' support to this approach;

- Adoption of a road hierarchy which allows for a future public road connection to the lands located to the west of the site; and
- An opportunity for a more efficient use of spare public transport, road and service infrastructure capacity.

While it is not expected that the final Hunter City Plan would include any specific recommendations or actions concerning this site in isolation, it is requested that the site form part of the discussion relating to the sequencing of urban development as a **prioritised site**.

3.2 New Land Release Criteria

Action 1.2.2 of the Draft Hunter City Plan expresses the intent to prioritise the development of sites located within or adjacent to existing urban areas and sets down a preliminary assessment criteria for such land. The below table offers a discussion on the merits of the site against the preliminary criteria contained in the Draft Hunter City Plan.

Table 3.1 – New Land Release Assessment Criteria

Assessment Criteria	Response
Potential impact to the environment and biodiversity	<p>As much of the site has been disturbed as a result of the previous extractive industry, the site is not thought to be representative of land containing high biodiversity values.</p> <p>Similarly, as the site directly adjoins established urban development and the main northern rail line, the edge effects from such development is likely to extend across the site, further reducing its value.</p> <p>While such matters would be examined in detail as part of any future planning proposal, the potential impacts of urban development on the environment and biodiversity are likely to be low.</p>
Potential impact to agricultural and resource sectors	<p>While the subject site has been used for clay extraction in support of the PGH brickworks, this industry has since moved on from the region, thus rendering the further extraction of clay unviable.</p> <p>The site is thought to have limited capability to support any form of agricultural pursuit.</p> <p>On this basis the impact of development for urban purposes on agriculture or the resource sector is thought to be minimal.</p>
Transport and infrastructure cost delivery	<p>The site has access to all reticulated services and thus the costs of servicing the development are unlikely to be excessive.</p> <p>The site has good access to local and regional road infrastructure, benefits from access to a regular bus service, and is situated approximately 400 metres from Thornton Rail Station.</p> <p>While it is expected that a servicing and infrastructure strategy would need to be undertaken as part of any planning proposal, transport and infrastructure delivery costs are not expected to restrict future</p>

Assessment Criteria	Response
	development outcomes on the site.
Costs arising from increased distances from jobs, services and recreation facilities	<p>This site is situated in close proximity to substantial employment generating precincts such as the expanding Green Hills shopping centre and occupied industrial and business park precincts at Thornton and Beresfield.</p> <p>As outlined elsewhere in this submission, the new Metford Hospital Precinct, situated approximately 3.1 km to the west of the site, is expected to generate over 1,000 jobs, while new employment lands at Black Hill will generate over 3,600 jobs. Both sites are accessible from the subject site.</p>
Delivery of sustainable communities	Development of the site will allow for the logical extension of and integration with an existing urban area, and will optimise the use of existing services and infrastructure in the locality. Further, the size of the site is such that it will be capable of supporting a range of housing types and thus will accommodate the needs of a wider cross section of the community.
Prioritise housing development within the existing urban footprint	While the site does not form part of the existing urban footprint, it directly adjoins an established residential area, and has been identified for urban purposes in a local planning strategy which reinforces the capability of the site to be developed for residential purposes.

It is clear that the site satisfies the preliminary assessment criteria for new release areas in the Draft Hunter City Plan, which further resolves the suitability of the land to be developed for residential purposes.

It is suggested that the full assessment criteria for new land release areas form part of the final Hunter City Plan to assist in sequencing and prioritisation of development as district and sub district plans evolve.

4.0 SUMMARY

This analysis of the site against the existing strategic planning frame work, the likely influences of significant region 'shapers' such as the Hunter Expressway on employment lands, and in the context of the Draft Hunter City Plan has identified that:

- The site has been identified for urban development (employment lands) in an existing planning framework (the MUSS), confirming the capability of the site for urban development (subject to a comprehensive planning proposal);
- The likelihood and need for the site to be developed entirely for employment purposes has been reduced due to the rezoning and approval of significant employment lands at Beresfield and Black Hill;
- While the site is readily accessible, other appropriately zoned employment lands are better situated to capitalise on the benefits of the Hunter Expressway;
- The central and southern parts of the site directly adjoin existing residential land located on the eastern side of Haussman Drive. This site is the logical location at which to transition residential land uses to future employment land uses (located further to the west of the site);
- The site represents an opportunity to utilise existing services and infrastructure, while also sharing costs with future residential release areas situated to the north east of the site; and
- The site presents an opportunity to retain a small scale commercial / employment generating opportunity to service the needs of residents within the Thornton / Thornton North locality, consistent with the objectives of the MUSS.

Based on the above findings, we request that the DPE amend the draft Hunter City Plan to include the site as part of an identified urban release area. Furthermore, we request that the DPE consider the merits of adopting a range of land use outcomes for the site, including a residential land use component, as per the concept master plan that has been prepared for the site when preparing any subsequent land use and infrastructure strategy for the locality.

APP would be available to meet with the DPE to discuss this submission or the merits of the site should the need arise.

Yours sincerely

APP CORPORATION PTY LIMITED

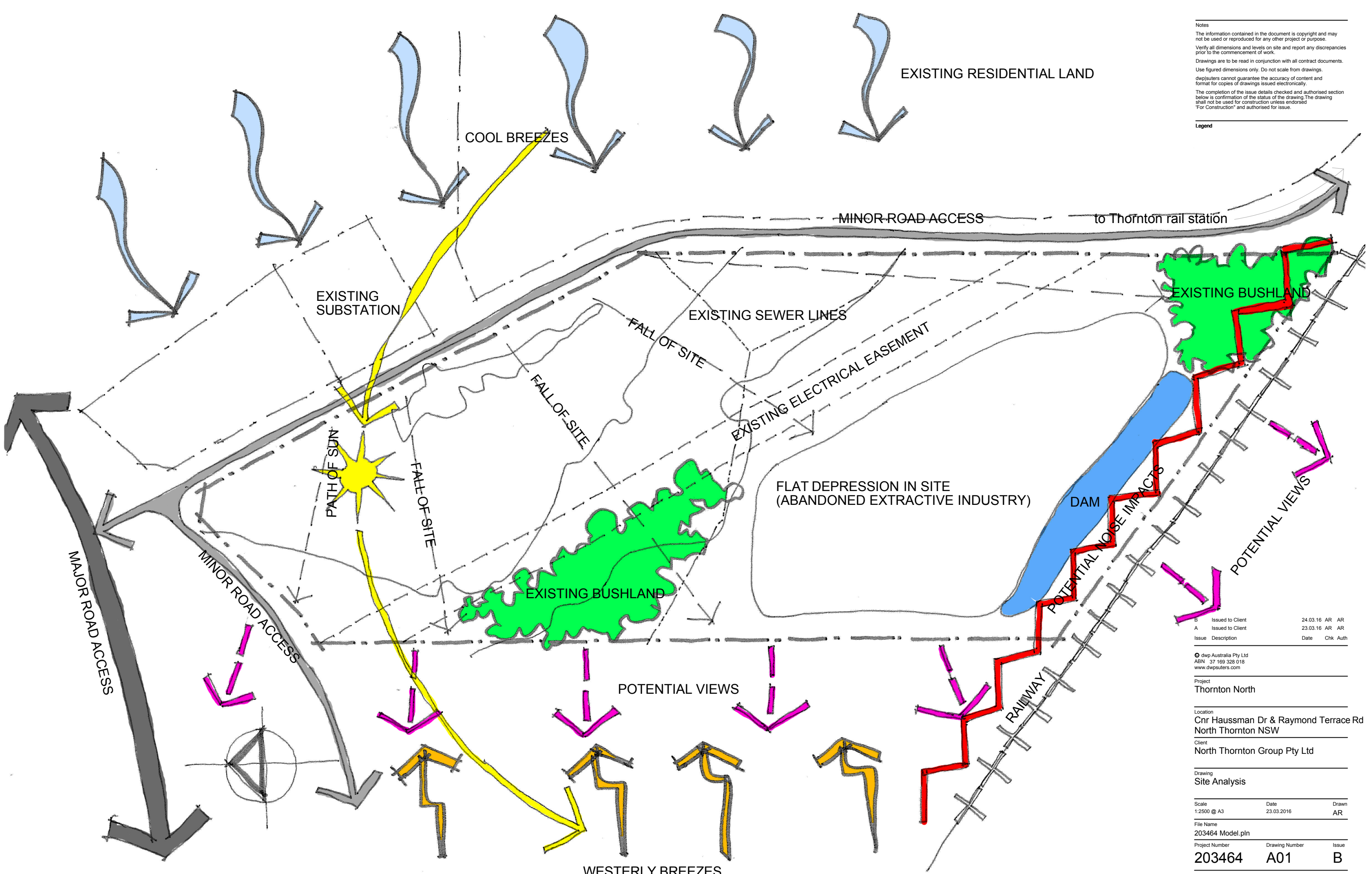


ANTHONY WILLIAMS
SENIOR PLANNER

Attachments
Opportunities and Constraints Analysis Plan (Ref 203464 A01)
Concept Master Plan (Ref 203430 A02)
Approved Earthworks Plan (Ref DA15-1803)

ATTACHMENT 1

Opportunities and Constraints Plan



Notes

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Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work.

Drawings are to be read in conjunction with all contract documents.

Use figured dimensions only. Do not scale from drawings.

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The completion of the issue details checked and authorised section below is confirmation of the status of the drawing. The drawing shall not be used for construction unless endorsed "For Construction" and authorised for issue.

Legend

B	Issued to Client	24.03.16	AR	AR
A	Issued to Client	23.03.16	AR	AR
Issue	Description	Date	Chk	Auth

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ABN - 37 169 326 018
www.dwpsuters.com

Project
Thornton North

Location
Cnr Haussman Dr & Raymond Terrace Rd
North Thornton NSW

Client
North Thornton Group Pty Ltd

Drawing
Site Analysis

Scale	Date	Drawn
1:2500 @ A3	23.03.2016	AR

File Name
203464 Model.pln

Project Number	Drawing Number	Issue
203464	A01	B



ATTACHMENT 2

Concept Master Plan

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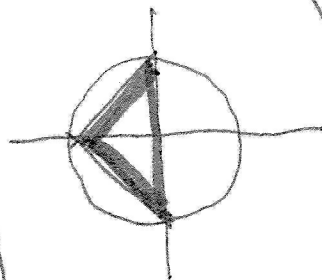
Verify all dimensions and levels on site and report any discrepancies prior to the commencement of work.

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Project Number	Drawing Number	Issue
203464	A02	B

ATTACHMENT 3

Approved Earthworks Plan (DA15-1803)

(3) - EASEMENT FOR TRANSMISSION LINE 30.48 WIDE - H140549



RAYMOND TERRACE ROAD

BRICKWORKS ROAD

HAUSSMAN DRIVE

HAUSSMAN DRIVE

MAIN NORTHERN RAILWAY

SITE PLAN
SCALE 1:2000

maitland
city council
Approved Plans
NO. DA15-1803
DEVELOPMENT APPLICATION
8/12/2015

23.4 metres
33.8 metres
30m AHD

RESTAINTO
NATURAL CONTIGUES

LOT 161
DP10419
18.91 Ha

LEVEL WITH 2% SLOPE

FINISHED SURFACE LEVEL
20m AHD

EXISTING DAM

52.8 metres

361.74 metres

DRAWING NO.	REFERENCE DRAWING TITLE
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THIS DRAWING IS A DESIGN DEVELOPMENT AND NOT A FINAL DESIGN. IT IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN APPROVAL OF THE AUTHOR.

THORNTON ROAD 100m AHD
8/12/2015



CLIENT	HILL TOP PLANNERS	JOB NO.	HTP-1418
PROJECT TITLE	BUILDING: PUAL CONTOUR PLAN		
ADDRESS	BRICKWORKS ROAD, THORNTON NSW 2322		
PROJECT TYPE	MASTER PLAN		
DATE	8/12/2015		
SCALE	AS SHOWN		
DESIGNER	HTP-1418-001-SHT2-2	REV.	A