



**SOUTHERN DOWNS
REGIONAL COUNCIL ORDINARY
COUNCIL MEETING**

LATE AGENDA ITEMS
Wednesday, 17 January 2024

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12. INFRASTRUCTURE SERVICES REPORTS

12.8 New Sewage Pump Station and Rising Main to Support Industrial Development in Warwick

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: Ordinary Council Meeting	
	Reporting Officer: Manager Water	Meeting Date: 17 January 2024
		ECM Function No/s:

Recommendation

THAT Council make provision of \$1,500,000 in the 2024/25 draft budget for the provision of a pump station and rising main to service industrial land on Old Stanthorpe Road.

REPORT

Background

A developer is wishing to develop Lot 58 ML127 for an industrial subdivision. This lot is remote from the sewerage network, making it expensive to service.

Council would gain some benefit from assisting with providing the bulk infrastructure to this subdivision.

Report

The application for the development of Lot 58 ML127 for an industrial subdivision was approved subject to all lots being serviced with a sewerage reticulation system.

This development is remote from the sewerage network, making it expensive to service and the developer has requested that on-site treatment be approved. They quote a cost of \$10,500 per lot for an on-site treatment system.

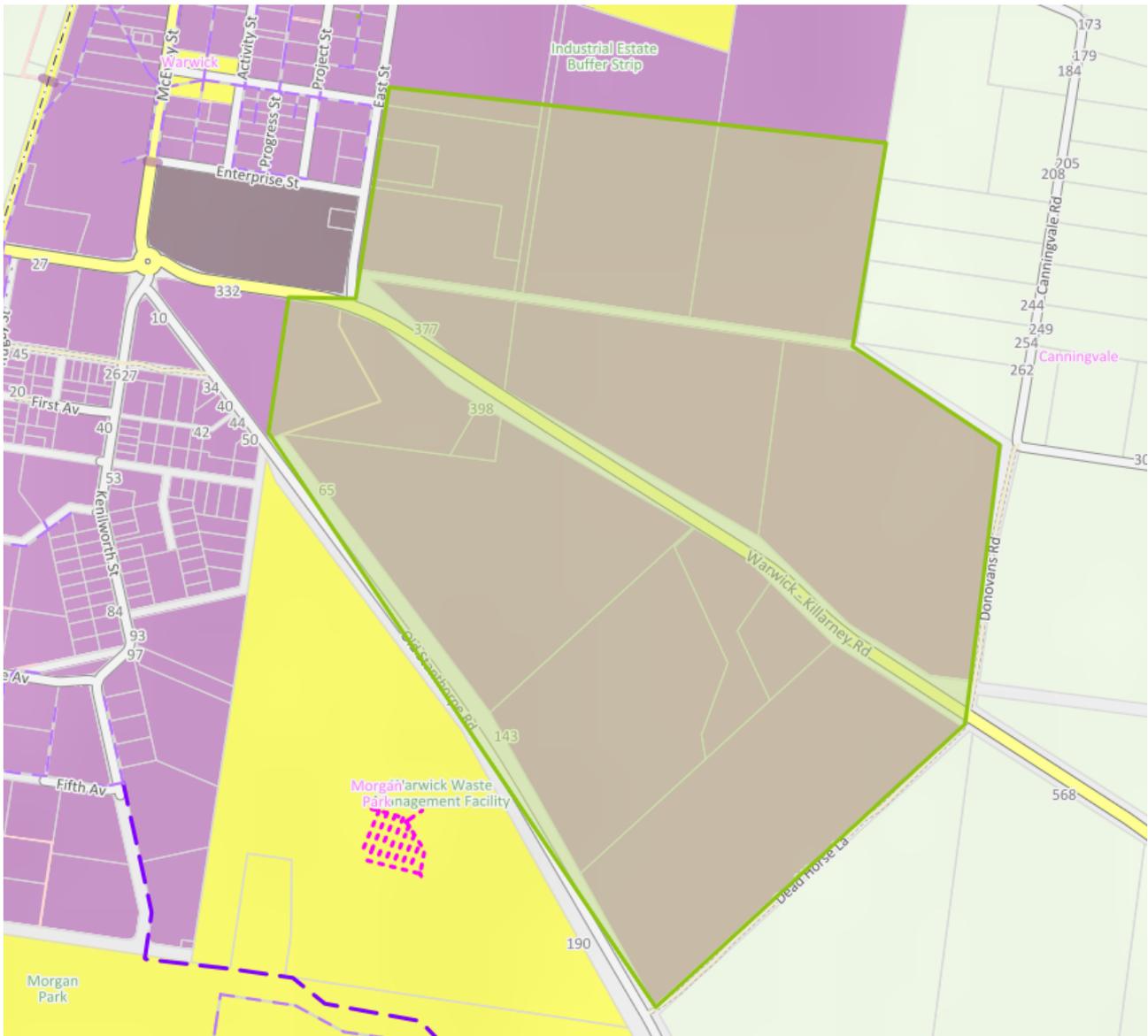
On-site treatment for an industrial development is not supported due to potential environmental and compliance risks. It is also very restrictive on the types of industries that can establish in this development, reducing the attractiveness for industries to establish there.

An alternative proposal is to install a pressure sewerage system. Although this is viable it does create issues with the land owner having to operate and maintain the pumping system on their lot.

Council should be actively promoting development in Warwick of industries and making it affordable where possible.

The recommended solution is for Council to provide the bulk infrastructure for this development, namely the pump station and the rising main. The pump station would be located within this

development. If sized appropriately, this pump station can potentially service other industrial lots as shown below, encouraging development in these lots.



The pump station would be sized to service all of the industrial lots shown above. Initially smaller pumps would be installed and these can be upgraded as developments come on line. The rising main would be sized for the ultimate requirement as this is the most economical option.

The rising main would run along Warwick Killarney Road and would connect to the existing sewerage network where the 225mm diameter main crosses Bracker Road. The capacity of the network to handle this additional demand has been modelled and the network has adequate capacity.

The cost of installing the pump station and rising main is in the order of \$1,500,000. This cost would be recouped to some extent by infrastructure charges, however it could be considered to levy a charge on future developments to recover this cost.

Conclusion/Summary

If Council implemented this project to construct the pump station and rising main, it would enable this development on Lot 58 ML127 to proceed and also make it a lot more attractive for a number of other industrial lots to be developed. Council can potentially recover all of these costs over time

and would encourage the growth of Warwick. It is recommended that this project be approved for the 2024/25 budget deliberations.

FINANCIAL IMPLICATIONS

Council's cost would be in the order of \$1,500,000 but most of this should be recoverable from future developments.

RISK AND OPPORTUNITY

Risk

If this project is not implemented then potentially the industrial lots may never be developed as it is too cost prohibitive.

Opportunity

This project provides an opportunity to encourage industrial developments and allow growth within Warwick.

COMMUNITY ENGAGEMENT

Internal Consultation

Council Information Session – 10 January 2024

Chief Executive Officer

Manager Planning & Development

Development Engineer

External Consultation

Nil

LEGAL / POLICY

Legislation / Local Law

Nil

Corporate Plan

Goal	2	Our Places
Outcome	2.2	Public places, services and facilities are accessible, sustainable and cost effective
Objective	2.2.1	Facilitate and plan for safe, accessible and affordable infrastructure, housing, health and communication services for the community, visitors and industry.

Policy / Strategy

The planning scheme requires all industrial developments to be serviced with sewerage reticulation.

ATTACHMENTS

Nil

13. PLANNING AND ENVIRONMENTAL SERVICES REPORTS

13.4 Consideration of Change Representations -Gary Hayes & Partners Pty Ltd - 65 Old Stanthorpe Road, Morgan Park

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 17 January 2024
	Executive Assistant - Planning & Environmental Services	ECM Function No/s: 07.22

APPLICANT:	Gary Hayes & Partners Pty Ltd
OWNER:	Fraser Nominees Pty Ltd
ADDRESS:	65 Old Stanthorpe Road, Morgan Park
RPD:	Lot 58 ML127
LAND USE AREA:	Industry
PROPOSAL:	Subdivision of one lot into 20 lots (over three stages)
LEVEL OF ASSESSMENT:	Code
SUBMITTERS:	Not Applicable
REFERRALS:	Department of State Development, Infrastructure, Local Government and Planning
FILE NUMBER:	RC\01964

RECOMMENDATION SUMMARY

THAT Council agree in part with the change representations made in relation to the application for Reconfiguring a Lot for Subdivision of one lot into 20 lots (over three stages) on land at 65 Old Stanthorpe Road, Morgan Park, described as Lot 58 ML127.

REPORT

Background

The parcel of land subject to this report is located within an area of Industry zoned land located to the south-west of the existing Warwick Industrial estate as illustrated in Figure 1. The 32.4 hectare parcel of land forms part of a future industrial area, yet to be developed from its existing rural use.

The Industry zoned land extends from the intersection of Warwick-Killarney Road and Old Stanthorpe Road to Dead Horse Lane and contains approximately 112 hectares of undeveloped land. Undeveloped Industry zoned land to the north of Warwick-Killarney Road has a total area of approximately 127 hectares.

The development of this land is out of sequence to what might generally be expected, being located outside of existing service infrastructure.

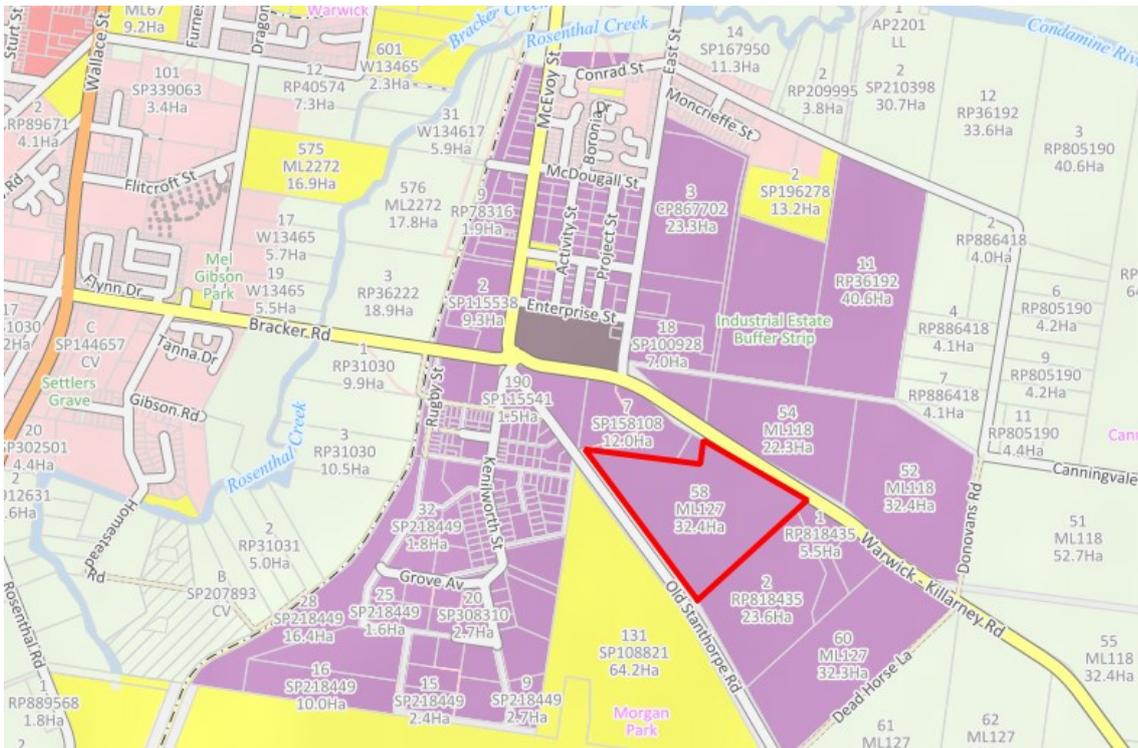


Figure 1: Locality plan

Historical subdivision approval

Approval was issued, subject to conditions, for the purpose of Subdivision of one (1) lot into 64 lots over three stages: Stage 1 – 23 lots; Stage 2 – 23 lots and Stage 3 – 18 lots. This approval remained current until 19 March 2021, at which time the application lapsed. The timeline associated with the approval, including the negotiated decisions is outlined below.

- Approved subject to conditions by Delegated authority on 23 December 2008
- Negotiated Decision Notice was issued on 19 March 2009.
- Change to Existing approval - Approved in part only on 25/11/09
- Change to Existing approval was approved subject to conditions on 8 January 2013.
- Change to existing approval by Delegated Authority on 15 April 2015
- Change to existing approval by Delegated Authority on 27 June 2017
- Request to Extend Currency Period approved by Delegated Authority on 9 April 2019

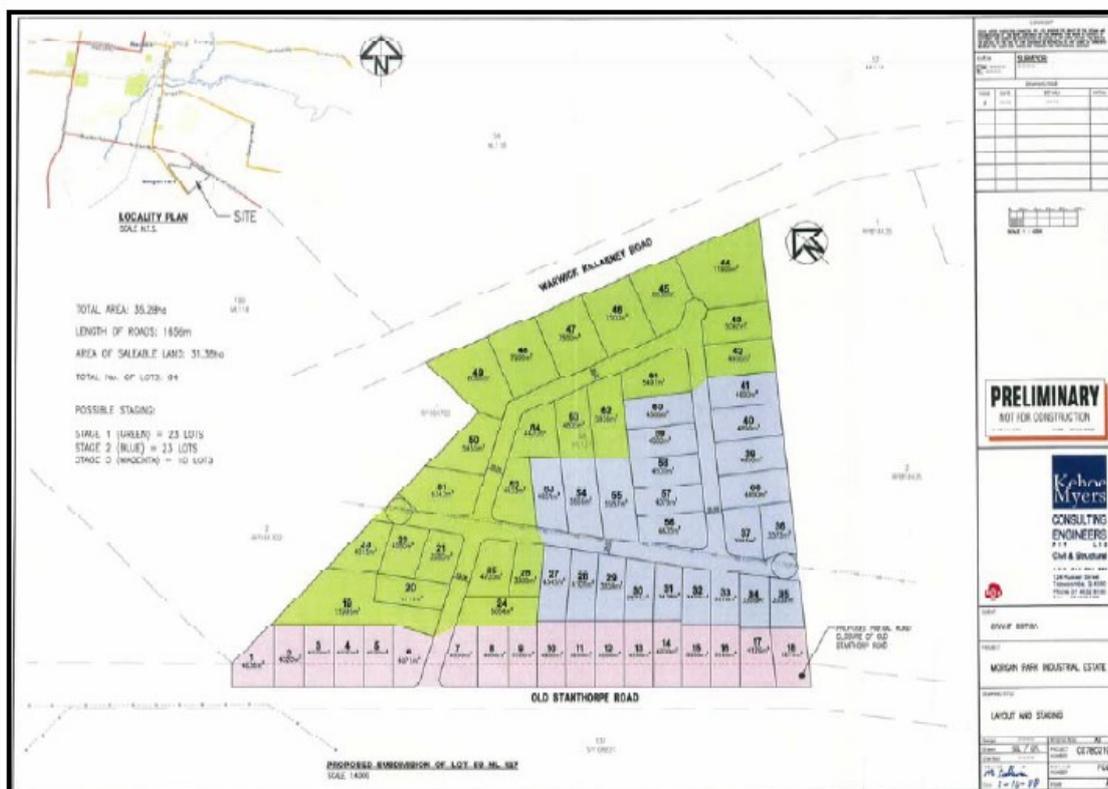
It is relevant to note that conditions of this approval related to road widening; provision of reticulated sewer and footpaths as stated below:

Condition 19: The applicant is to construct sealed road widening, and barrier kerbing and channelling along the Old Stanthorpe Road frontage of the site. Such works are to include appropriate drainage and the roads are to be constructed to the satisfaction of the Director Engineering Services.

Condition 25: The applicant is to provide at no cost to Council, a sewerage reticulation system serving all allotments. This system is to include a sewerage pumping station within a freehold lot of adequate area for sewerage pump station. The applicant shall construct a sealed access road to this lot of a minimum width of 3.0 metres and including a turn around area suitable for an Austroads Class 4 vehicle.

Condition 30: The applicant shall construct a 2 metre wide concrete pedestrian footpath on the Old Stanthorpe Road frontage of the site to the satisfaction of the Director Engineering Services.

Condition 30 was deleted during the negotiations, however the requirement to widen the road and provide reticulated sewer was never negotiated. The approved plan is illustrated below.



It is relevant to note that whilst ownership of the land has changed, the applicant for this application remains the same.

Report

On 27 September 2023, a Development Permit was issued approving, subject to conditions, for the purpose of Reconfiguring a Lot – Subdivision of one lot into 20 lots (over three stages), located at 65 Old Stanthorpe Road, Morgan Park, described as Lot 58 ML127.

The subject land is located south-east of Warwick and has an area of 32.4 hectares. The north-east boundary has frontage to Warwick-Killarney Road, which is a State-controlled road. The south-west boundary has frontage to Old Stanthorpe Road, which is a constructed sealed road. Land immediately to the west of Old Stanthorpe Road forms part of the Warwick Waste Management Facility. Lots adjoining the subject land to the north, south-east and north-west are zoned for industrial purposes however, these lots have not yet been developed.

The lot has an irregular shape and contains an existing dwelling in the north-west corner. The remainder of the land is generally vacant except for small dams and scattered mature trees as illustrated in Figure 2. The existing use of the land is for grazing purposes and the lot is impacted by the Bushfire hazard overlay, Biodiversity areas overlay and the Morgan Park environs overlay. Areas of remnant vegetation (category B) impact the south-west portion of the land. The State QRA mapping impacts the north-east corner of the lot, as does a Biodiversity drainage line running in a south to north direction. The land is further impacted by the buffer zone for an Intensive animal industry, a poultry farm, located toward the north-east. The road reserves of Old Stanthorpe Road and Warwick-Killarney Road are recognised stock routes.

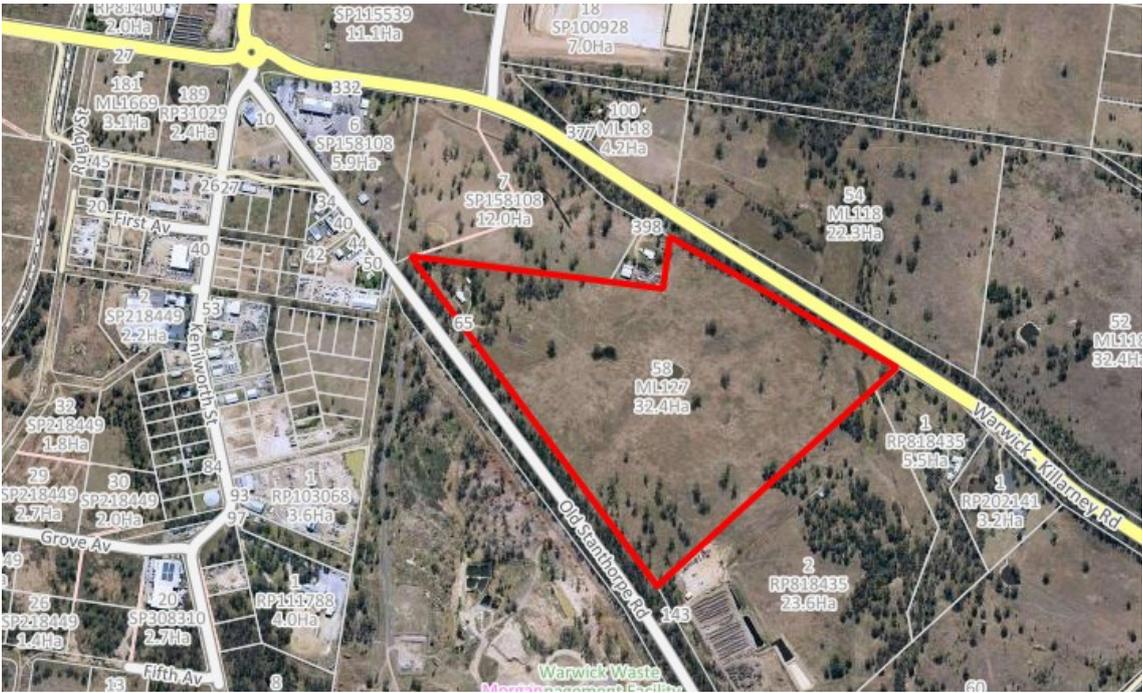


Figure 2: Subject land

An approval was issued enabling the subdivision of the subject land into 20 lots over three stages. Stage 1 divides the land into two lots, proposed Lots 22 and 23, and creates a 20 metre wide easement for the purpose of electricity as illustrated in Figure 3.



Figure 3: Stage 1 – Subdivision one (1) lot into two (2) lots

Stage 2 will retain Lot 22 and subdivide Lot 23, creating Lots 1 to 5 which have frontage to Old Stanthorpe Road and a balance lot. Access to these lots will be via a seven (7) metre wide concrete access road.

Stage 3 will retain Lot 22. Lots 6 to 19 will be created on the balance lot created as part of Stage 2. Access to these lots from Old Stanthorpe Road will be via a road, which has a sealed width of 12 metres and a cul-de-sac. The final proposed lot design is illustrated in Figure 4.

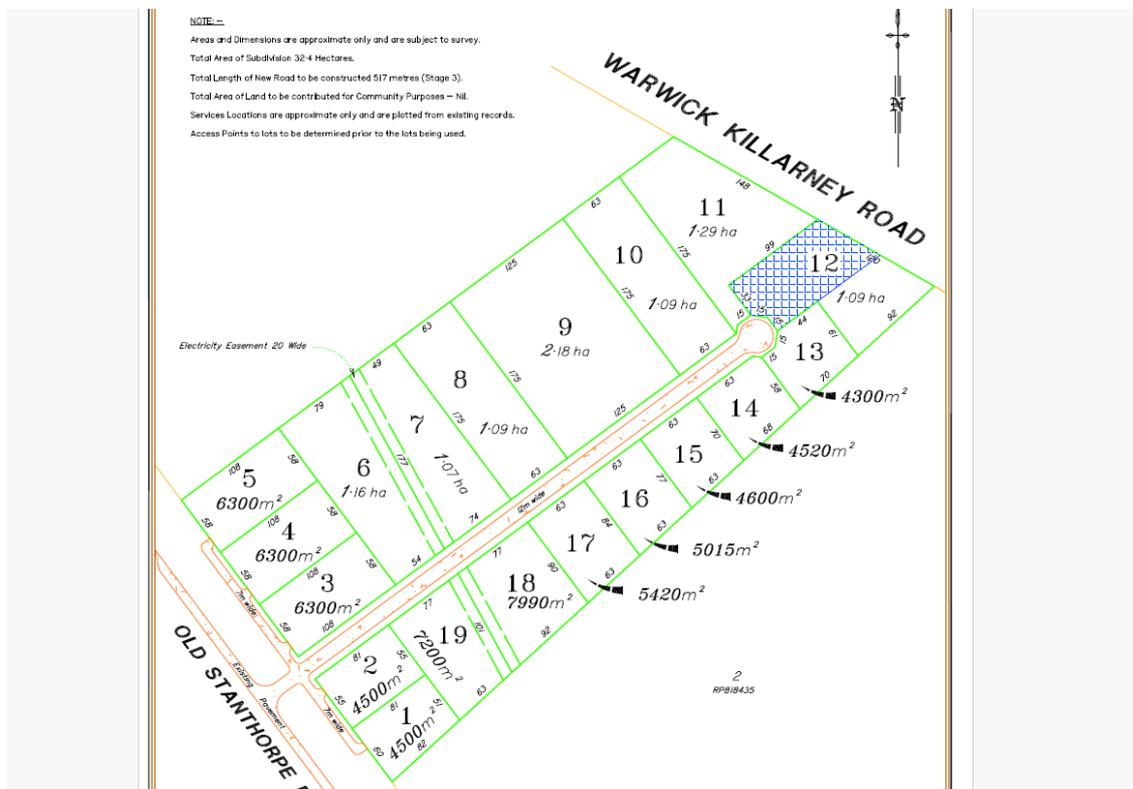


Figure 4: Stage 2 - Lots 1 to 5 and Balance Lot (Lots 6 to 19) & Stage 3 - Lots 6 to 19

The proposed development will connect to the reticulated water supply by extending the water main from the north-west corner along Old Stanthorpe Road to reach the site. There is no reticulated sewer to the lot.

Referral

The application required referral to the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) for the following reasons:

- Reconfiguring a lot near a state transport corridor
- Development impacting on state transport infrastructure

The DSDILGP has no requirements.

It is noted that although there are overhead powerlines traversing the site, there is no existing electricity easement and therefore, the application did not require referral to Ergon. Ergon did advise however, in their response to the applicant, that a 20 metre wide easement (minimum 10 metres either side of the centre line) benefitting Ergon will need to be registered with the plan of subdivision, recognising the location of the existing overhead powerlines.

Representations

The applicant has made change representations, requesting consideration of Conditions 8, 12 and 13. These conditions relate to roadworks, wastewater disposal and pedestrian works associated with the construction of a new road.

Condition 8 states:

All roads within the development are to be constructed in asphaltic concrete, and such works are to include kerbing and channelling, stormwater drainage, street tree planting and the top dressing of footpaths with good quality top soil. New roads are to be a minimum of 20.0 metres wide with a minimum sealed carriageway width of 12.0 metres.

Kerbing and channelling is to be provided for the full frontage of Old Stanthorpe Road, connecting to the new road.

Note: *This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

The applicant is seeking to remove the following element of the condition:

Kerbing and channelling is to be provided for the full frontage of Old Stanthorpe Road, connecting to the new road.

The following justification has been provided:

There will be a new intersection required which, will be designed as part of the operational works application. As shown on the proposal plans, it is proposed to construct a concrete service road to access lots one to five. There is a 45-metre nature strip between the boundary and the existing bitumen edge of Old Stanthorpe Road.

This section of Old Stanthorpe Road is near the top of a gently sloping rise. There is currently a shallow and wide table drain adjacent to the bitumen road. This drainage system has been working efficiently with minimal maintenance for a number of years. Constructing kerb and channelling along Old Stanthorpe will concentrate the stormwater and create an erosion issue, which is likely to require ongoing maintenance.

The proposed development will result in the creation of 20 lots with access via Old Stanthorpe Road. The proposal is staged, and will result in a seven (7) metre wide concrete access road to proposed Lots 1 to 5 during Stage 2, and the construction of a new road with a cul-de-sac to provide access to proposed Lots 6 to 19 during Stage 3. The existing access to the lot will be retained as access to the balance lot.

AO9 and PO9 of the Reconfiguring a lot code states as follows:

AO9 *Where reconfiguration of a lot:*

- (i) results in additional lots with frontage to a road; or*
- (ii) involves the creation of a new road; the road is constructed in accordance with Table 9.4.7.4.*

PO9 *Roads are designed and constructed to provide an optimum combination of safety and amenity, convenience and economy for users of streets and roads.*

Conditions were imposed requiring kerb and channel and concrete footpaths along Old Stanthorpe Road, and the new road, as per the requirements stipulated in the Planning Scheme.

The design and function of kerb and channel was considered as part of the assessment of this application. Barrier kerb and channel plays an integral function within the proposed industrial estate to define the road boundaries, providing for the safe and efficient transport of vehicles and pedestrians whilst ensuring effective drainage of stormwater.

It is relevant to note that a traffic impact assessment was requested as part of the Information Request to assist in understanding: (i) the proposed intersection treatment; and (ii) the pavement impacts resulting from increased traffic on Old Stanthorpe Road. Whilst a traffic impact assessment report was not provided, Council received the following response:

- (i) Preliminary advice from Traffic Engineers suggests there is ample space available to install any necessary intersection treatment required for the new development. As you are aware, the speed limit is 80 km/hr, and the road reserve is generously wide. The existing road pavement is 8 metres in width, and there is a significant 27-metre clearance to the waste facility fence on the western side, along with 33 metres to the eastern side between the existing pavement and the planned entrances to lots 1 – 5.*

- (ii) *As indicated in the application, the proposed lots are intended for general industrial purposes, and the application does not include any high-traffic impact activities. Specific site uses will be handled through their respective individual MCU (Material Change of Use) applications. There are no expected negative effects on Old Stanthorpe Road, especially when compared to the scale of the Council Waste Facility, particularly during the disposal of substantial concrete resulting from demolition projects such as the shopping centre redevelopment.*

The Information Request was issued on 27 March 2023. The response to the information request was received on Friday, 8 September 2023, with a request to meet on the following Monday. Council Officers accommodated this request and during the meeting the applicant requested that the application be determined prior to the 26 September 2023.

With the aim of working with the applicant, Council Officers accepted the incomplete response to the information request, determining that the provision of a traffic impact assessment could be provided as part of the operational works to inform the design of the intersection and associated road works. In the absence of any detail regarding traffic movements, it was considered appropriate to condition the approval in line with the requirements of the Planning Scheme, which required the provision of kerb and channel.

Whilst Table 9.7.4.7 requires the provision of kerb and channel along all road frontages, it is recognised that due to the proposed concrete access road, no new lots will be created with frontage to Old Stanthorpe Road as a result of this development. However, it would be unusual not to require kerb and channel along road frontages associated with a subdivision in the Industrial zone and consideration must be given to the future development of the industrial land to the north west and south east of the subject land.

Discussions with Councils Development Engineer have confirmed that in this instance, kerb and channel is not the only option available to effectively manage stormwater drainage along Old Stanthorpe Road. However, in the absence of a traffic impact assessment, there is no basis to justify removal of this requirement.

As operational works will be required to construct the new access roads, it is considered reasonable that road treatments along the frontage of Old Stanthorpe Road can be determined at that time. To reflect this change, Condition 8 may be amended as follows:

All roads within within the development are to be constructed in asphaltic concrete, and such works are to include kerbing and channelling, stormwater drainage, street tree planting and the top dressing of footpaths with good quality top soil. New roads are to be a minimum of 20.0 metres wide with a minimum sealed carriageway width of 12.0 metres.

~~*Kerbing and channelling is to be provided for the full frontage of Old Stanthorpe Road, connecting to the new road., Treatments to manage stormwater, vehicle and pedestrian safety along Old Stanthorpe Road are to be determined during operational works. This may include kerb and channel, a concrete edge strip or road widening with appropriate road edge marking. The agreed treatment is to extend along the full frontage to Old Stanthorpe Road.*~~

Note: *This condition is imposed to pursuant to Section 145 of the Planning Act 2016.*

Condition 12 states:

A sewerage reticulation system is to be provided to service all allotments. This system is to be connected to Council's wastewater sewerage system.

Note: *This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

The applicant is seeking to remove the condition in full and has provided the following justification:

We request Council delete Condition 12 entirely. As discussed with planning staff prior to this application being lodged, the development has been designed as larger lots to cater for a variety of industrial uses that will require large outdoor storage areas. These larger lots can be adequately serviced by onsite sewerage disposal.

P016 of the Reconfiguring a Lot Code states that "adequate sewerage services are available to each lot in the development". An acceptable outcome for this is new lots are connected to Council's sewerage system; however, this is not a mandatory requirement. Council is relying on the Reconfiguring a Lot Code overall outcomes, to infer the development needs to be connected to Council's reticulated sewer system. There is no sewer system in the area, with the closest Council sewer being 1.5 kilometres away from the site.

Point (2) of the Overall Outcomes, Item (f) states in part:

- Appropriate infrastructure and services are provided to meet the anticipated needs of future land use activities and the reasonable expectations of the community.*

Item (g) States:

- Development is serviced with public and private physical infrastructure depending on the location, existing levels of service, and potential to connect to urban infrastructure. Where development is not supported by public infrastructure robust, effective and efficient private services are provided.*

We believe we have fulfilled the requirements of the overall outcomes by providing sufficient space for on-site sewage disposal on all new lots.

There are several examples of existing Industries both small and large, within Council's Industrial Zone, which are running successfully with on-site sewage disposal.

Infrastructure advice

In an Information Request made to the applicant, Council requested further information on the likely sewer loadings and whether pump stations were proposed to be provided for the lots prior to the sealing of the plan of subdivision. The applicant responded with limited information, indicating that the proposed lots are typical large industrial parcels of land and on-site sewerage disposal would be provided due to the ample space on each lot.

Council's Manager Water provided the following advice upon review of the response:

Although I do [not] want to have additional pump stations on the network I do not think it would be good practice to put an industrial area on septic tanks. For one they can potentially generate trade wastes that you do not want to go into a septic tank or similar. Secondly we could be significantly hampering what industries can establish on these lots. My preference would be for all industrial lots to be connected to the sewer.

I do not know what the cut off would be to make the pump station financially viable to Council. A lot would depend on the electricity costs which is dependent on the volume and head to be pumped.

If we can make them put the pump station in the far eastern corner this would probably allow the lots to the south to connect to this pump station as well. The pump station should be sized to cater for all of those industrial lots and Council may have to contribute towards it.

Following the issue of the Decision Notice, the applicant requested a meeting with Council's Chief Executive Officer and the Manager Water. Advice received from the Manager Water, subsequent to the meeting is as follows:

As stated before, my preference would be that they provide sewered lots for industrial developments.

AO16.2 and PO16 of the Reconfiguring a lot code are very clear in their intent regarding the connection to reticulated sewer. They state:

AO16.2 (a) *Except in Allora, all lots in the Low density residential, Medium density residential, Principal centre, District centre, Specialised centre, Mixed use and Industry zones are connected to the reticulated sewerage system.*

PO16 *A potable water supply and adequate sewerage services are available to each lot in a development that will be used for residential, commercial or industrial purposes and adequate water is available for fire fighting purposes.*

These Acceptable and Performance outcomes support the delivery of the Overall outcomes of the Reconfiguring a lot code, which were identified by the applicant in their change representations request:

(f) Appropriate infrastructure and services are provided to meet the anticipated needs of future land use activities and the reasonable expectations of the community. Conditions regarding the supply of necessary trunk infrastructure or payment of additional trunk infrastructure costs may be imposed where development is inconsistent with the assumptions for development set out in section 4.2 of the LGIP or outside the PIA.

(g) Development is serviced with public and private physical infrastructure depending on the location, existing levels of service, and potential to connect to urban infrastructure. Where development is not supported by public infrastructure robust, effective and efficient private services are provided.

Sewered lots are the preferred option for subdivision of land in the Industry zone as connection to the reticulated system would ensure appropriate waste management disposal for future development, particularly if the scale of use intensifies, or changes, over time.

In addition to the planning scheme requirements for fully services industrial land, the following are additional opportunities which exist with servicing the land:

- A choice of lot sizes can be created, as there is no limitation from the on-site waste water disposal system and associated land application areas.
- There will be no restrictions on users of the industry land, now or in the future. Under the current planning scheme, the change from one type of industry use to another type of industry use, doesn't require a planning application. Therefore when water, waste water or trade waste needs change with the change in business, the only triggers are when plumbing or building work are required.
- There is a reduction in the reliance on business and property owners to ensure appropriate standards and regulations are being complied with in relation to on-site waste water disposal and trade waste disposal.
- Significantly higher level of compliance in relation to trade waste and waste water disposal.
- Significantly reduced risk of environmental impacts as a result of waste water disposal.
- Reduced compliance concerns in relation to continual maintenance and servicing.
- The provision of reticulated sewer will allow other land within the Industry zone to be serviced also.

In addition, the establishment of well services industrial land, which cater for all potential future industry uses, provides a legacy for the future. Whilst also reducing the monitoring and compliance that would be required for industry lots provided with on-site waste water systems.

As the applicant indicated that they do not wish to comply with this standard condition due to it being onerous, two alternative options have been considered by Council Officers. These options are a pressure sewer system and on-site waste water disposal. Advantages and disadvantages of these options is outlined below:

Advantages	Disadvantages
<i>On-site waste water disposal</i>	
<ul style="list-style-type: none"> • Each site is required to establish their own system and manage it accordingly. • New industrial land can be released in a relatively short time-frame, with limited cost to the developer. 	<ul style="list-style-type: none"> • Shifts costs from developer to future businesses which is not how development has traditionally occurred in the Southern Downs. • Potentially different package treatment systems per site which may limit future development of the

	<p>sites.</p> <ul style="list-style-type: none"> • May require restrictions on the types of activities allowed on the proposed lots to ensure that the on-site waste disposal system is of an appropriate size and any trade waste generated is appropriately dealt with. • Significant reduction in land utilisation area due to limitations imposed by the size of the on-site waste treatment system and disposal areas. • Increase risk of compliance action being required to ensure systems are being maintained, serviced and used appropriately. • Increase risk of damage to the system or a failed system, as a result of outdoor storage, vehicle parking and manoeuvring, and general lack of ownership over the system. • Lost revenue by not applying infrastructure charges and reduced rates revenue. • Unfair competitive advantage to a single developer. • Setting a standard for not requiring sewer in future releases of industrial land. • Increased probability of pressure being placed on Council to later service the development with reticulated sewer due to issues mentioned.
<i>Pressure sewer system</i>	
<ul style="list-style-type: none"> • Ability for lots further on to connect in the future. • Council could contribute to increase the diameter of the pipe and potentially recover these costs in the future. 	<ul style="list-style-type: none"> • Requires a new policy to be developed and implemented. • Unknown system to SDRC. • Sets a precedent for a system which has not yet been examined or supported by Council.

It is noted that the land is currently vacant and the applicant assumes that lots are of a size where on-site waste water disposal can be accommodated. This idea however, may constrain future development due to potential use of inadequately sized on-site waste water disposal systems. Furthermore, the risk of non-compliance increases over time as once the site is developed, certain activities in the Industry zone are Accepted development which will not require a Development Permit. Examples include:

- Business activities: if (a) Agricultural supplies store in an existing non-residential building; or (b) Service industry in an existing non-residential building.

- Industry activity: if a change from one industry activity to a Low impact industry or a Warehouse in an existing non-residential building.
- Transport depot: If in an existing non-residential building.
- Winery: If in an existing non-residential building.

This means that whilst an on-site waste water disposal system may be appropriately designed for the initial use, Council would not be able to assess potential changes to the sewer load over time as there is no trigger to review a change to the use if that use is Accepted development. Changes to the sewer load could result from an increase in staff, a change to the use such as a different type of industry, change in operating hours, change in volume of water used on site, etc. The use of on-site waste water disposal systems will limit the growth potential of businesses in this zone, as manoeuvring of heavy vehicles and land sealing for outdoor storage or car parking cannot occur over the Land Application Area (LAA). Given the number of lots being subdivided, any future sewer upgrades would be at the expense of Council and would be necessary to allow full utilisation of the development sites.

Council Officers sought preliminary advice regarding potential costs associated with the pressure sewer system, however actual costings and timeframes are difficult to determine given that there is no timeframe on the development of lots on adjoining land. It is relevant to note however, that precedent will be set for future development if a relaxation of requirements is considered acceptable in this instance.

Assessment undertaken against the Reconfiguring a lot code indicates that the imposition of reticulated sewerage connections for the proposed lots is relevant to the development. It is considered that the conditioning of sewerage infrastructure is not unreasonable as it is a standard requirement of any subdivision in the Industry zone. The provision of appropriate infrastructure will facilitate improved opportunities for the use of industrial land, by ensuring the land is fully serviced, now and into the future—thereby able to accommodate a vast array of industrial uses. Therefore, it is recommended that this condition remains unchanged.

Condition 13 states:

A 1.0 metre wide concrete pedestrian footpath is to be constructed along one side of the new road and along the Old Stanthorpe Road frontage of the site, in a location suitable to the Director Infrastructure Services.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

The applicant is seeking to remove the condition in full and has provided the following justification:

Providing pedestrian footpaths in this industrial location will create an ongoing maintenance issue for Council and an unwanted council asset to maintain.

P09 of the Reconfiguring a Lot Code requires:

- *Roads are designed and constructed to provide an optimum combination of safety and amenity, convenience, and economy for users of streets and roads.*

We acknowledge the Acceptable Outcome refers to Table 9.4.7.4 which states that concrete footpaths are to be provided in industrial areas. Pedestrian traffic will be almost non-existent in this estate, and we believe for Council to condition concrete footpaths, which will be later removed, in part, for industrial crossings, would be a waste of money on unnecessary infrastructure.

The existence of the 45-metre-wide nature strip and lack of pedestrian traffic along Old Stanthorpe Road negate the need for a footpath along this frontage.

As noted by the applicant, where new roads are created, Table 9.4.7.4 of the Southern Downs Planning Scheme requires an asphalt road, with kerb and channel and a concrete pathway in the Industry zone. The Planning Report provided by the applicant, indicated that the proposed

development complied with the Acceptable outcome and therefore the requirement for the footpath was included in the Conditions of Approval.

As the applicant is seeking to remove this condition, assessment against the Performance outcome is now required. As noted above, PO9 of the Reconfiguring a lot code states '*Roads are designed and constructed to provide an optimum combination of safety and amenity, convenience, and economy for users of streets and roads*'. It is considered that, in this instance, users of the industrial estate will have a specific destination, particularly as it is located on the outer edge of the Warwick town area and does not directly connect to any existing development. As such, it is unlikely that there will be much pedestrian traffic generated as a result of this development. In addition, within the industrial estate, the provision of kerb and channel will provide a barrier edge which improves the safety of pedestrian movement throughout the site. It is anticipated that the road width and construction will provide adequate space and amenity to optimise safe passage of vehicles and pedestrians when required. Therefore, it is agreed that this condition can be deleted.

Recommendation

THAT Council agree in part with the change representations made in relation to the application for Reconfiguring a Lot for the purpose of Subdivision of one lot into 20 lots (over three stages) on land at 65 Old Stanthorpe Road, Morgan Park, described as Lot 58 ML127, and Condition 12 remain unchanged and Conditions 8 and 13 be amended as follows:

Schedule 1 - Southern Downs Regional Council Conditions

Roadworks

8. All roads within the development are to be constructed in asphaltic concrete, and such works are to include kerbing and channelling, stormwater drainage, street tree planting and the top dressing of footpaths with good quality top soil. New roads are to be a minimum of 20.0 metres wide with a minimum sealed carriageway width of 12.0 metres.

~~*Kerbing and channelling is to be provided for the full frontage of Old Stanthorpe Road, connecting to the new road. Treatments to manage stormwater, vehicle and pedestrian safety along Old Stanthorpe Road are to be determined during operational works. This may include kerb and channel, a concrete edge strip or road widening with appropriate road edge marking. The agreed treatment is to extend along the full frontage to Old Stanthorpe Road.*~~

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

Water Supply and Waste water

12. A sewerage reticulation system is to be provided to service all allotments. This system is to be connected to Council's wastewater sewerage system.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

Pedestrian Works

13. ~~A 1.0 metre wide concrete pedestrian footpath is to be constructed along one side of the new road and along the Old Stanthorpe Road frontage of the site, in a location suitable to the Director Infrastructure Services.~~

~~Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.~~

ATTACHMENTS

Nil