

Rebuilding Grantham together



Proposed Development Scheme

Grantham Reconstruction Area

Submissions Report



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Executive Summary

On 8 April 2011, Grantham was declared a Reconstruction Area through the Queensland Reconstruction Authority Regulation 2011. The declaration of a Reconstruction Area establishes a regulatory framework that ensures that any proposed rebuilding efforts and any applicable approval processes are fast-tracked, enabling works to commence in a timely and efficient manner.

To support the fast-tracked process, under section 62 of the Queensland Reconstruction Authority Act 2011 (QldRA Act) the Queensland Reconstruction Authority (the Authority) may make a Development Scheme for a Reconstruction Area. On 11 May 2011, the Authority released the Proposed Development Scheme for the Grantham Reconstruction Area (the Proposed Development Scheme). The Proposed Development Scheme provides the regulatory framework to support the delivery of the Master Plan. The Master Plan was prepared by Lockyer Valley Regional Council (the Council) with extensive input from the community facilitated through a number of dedicated consultation workshops and was released formally by the Council on 4 May 2011.

Under section 66 of the QldRA Act, the Authority undertook public notification of the Proposed Development Scheme for the required 30 business day period. Any person was invited to make a submission during the public notification period which commenced on 11 May 2011 and concluded on 23 June 2011.

During this Authority-led consultation period, approximately 300 copies of the Proposed Development Scheme and 500 copies of the Summary Flyer were distributed. The Rebuilding Grantham Authority web page received 920 unique visits. The Rebuilding Grantham and other associates videos were viewed more than 400 times.

In total, six (6) submissions were received during the public notification period. The submissions raised a number of matters including individual land owner matters, the provision for a memorial, general comments about the Proposed Development Scheme (including comments on lot sizes and proposed levels of assessment), specific enquiries about the proposed land zonings and comments on the provision of infrastructure in the Reconstruction Area (including the capacity of sewerage the treatment plant). A detailed assessment of these submissions is provided in this report to assist the Authority in making the Submitted Scheme (Refer to section 70 of the QldRA Act).

As required, in accordance with section 70 of the QldRA Act, this Submissions Report summarises the matters identified in the submissions, and provides justification for the extent that the Proposed Development Scheme is to be amended to reflect the matters raised. This justification is required as part of the preparation of the Submitted Scheme.

In accordance with section 72 of the QldRA Act, submitters, who are also affected owners (defined in the QldRA Act as a person who owns land in, or that adjoins the reconstruction area) within the Reconstruction Area, are provided with 20 business days after receiving notice of the Submitted Scheme, to make representations to the Premier and Minister for Reconstruction (the Minister) about the Submitted Scheme.

The Development Scheme for the Grantham Reconstruction Area does not take effect until such time as it takes effect under a regulation.

1. Background

1.1 Declaration of Grantham Reconstruction Area

Since the devastating events of 10 January 2011, the Authority has worked closely with the Lockyer Valley Regional Council (the Council) to determine the level of support the Council requires to ensure that the Lockyer Valley and Grantham emerges as a stronger, more resilient community.

The Council undertook more than 90 one-on-one consultation sessions with members of the community, and Council advised that the majority of the responses from the consultation sessions outlined the desire by residents to remain within Grantham but to relocate to higher ground.

The Council, on 23 March 2011, resolved "to request that the Premier and Minister for Reconstruction declare Grantham a reconstruction area in accordance with section 43 of the Queensland Reconstruction Authority Act 2011".

On 24 March 2011, the Authority's Board of Management endorsed a recommendation to the Minister for the proposed declaration of the reconstruction area at Grantham in accordance with section 43 of the QldRA Act.

The Queensland Reconstruction Authority Regulation 2011 which declared the Grantham Reconstruction Area (Reconstruction Area) was endorsed by Cabinet on 4 April 2011, approved by Governor in Council on 7 April 2011 and published in the Government Gazette on 8 April 2011 (Refer to **Attachment 1** – Grantham Reconstruction Area).

On 8 April 2011, the Council purchased a significant parcel of land within the Reconstruction Area (Refer to **Attachment 2** – Council owned land). This land is suitable to facilitate the voluntary relocation of flood-devastated residents within the Lockyer Valley. On 11 May 2011, the Council released the Grantham Relocation Policy (land swap program) outlining the details and criteria for Council's voluntary land swap program.

1.2 Proposed Development Scheme for the Grantham Reconstruction Area

The Proposed Development Scheme for the Grantham Reconstruction Area was prepared by the Authority in accordance with sections 62 to 65 of the QldRA Act and is applicable to development on land within the boundaries of the Grantham Reconstruction Area. The Proposed Development Scheme draws on the master planning work that was undertaken by Council and the Authority in partnership with the Grantham community. The Master Plan was publicly released by Council on 4 May 2011 (Refer to **Attachment 3** – Lockyer Valley Regional Council Master Plan), although subsequent minor changes have been made to this Master Plan by Council.

The Authority prepared the Proposed Development Scheme with regard to the Council's Master Plan. The Proposed Development Scheme specifically removes regulatory hurdles for the relocation of affected residents to higher ground.

In accordance with section 63 of the QldRA Act, the content of the Proposed Development Scheme is to include; a land use plan, an infrastructure plan; and an implementation plan. In addition to these three core elements, the Authority has also established a vision for the Reconstruction Area. This vision was based on discussions held between Authority staff and members of the community during the Council master planning process and was derived from Council's Master Plan.

The purpose of the Proposed Development Scheme was to:

- Establish the Vision and Master Plan for the Reconstruction Area;
- Calibrate the regulation of development to achieve the Vision; and
- Identify infrastructure and other strategies and mechanisms to achieve the Vision.

Specific elements of the Proposed Development Scheme are as follows:

Vision – The vision seeks to articulate the community aspirations for Grantham and provides the basis for the land use plan, infrastructure plan and implementation strategy.

Land Use Plan – similar to a Local Plan that translates the vision and master plan into a Queensland Planning Provision (QPP) compliant land use plan that calibrates and regulates development through clear statements of intent and tables of assessment that support the achievement of the vision.

Infrastructure Plan – supporting the land use plan with specific details relating to elements of infrastructure including roads, water supply, sewer, stormwater, parks, electricity, telecommunications and community facilities.

Implementation Strategy - supports the implementation of the land use plan and the infrastructure plan recognising the importance of Council's land swap program whilst providing sufficient flexibility to cater for changes and evolution that will occur during the life of the Development Scheme.

Grantham Reconstruction Area Timeline



2. Consultation Process

2.1 Consultation Period

Under section 66 of the QldRA Act, the Authority undertook public notification of the Proposed Development Scheme for the required 30 business day period. Any person was invited to make a submission during the public notification period which opened on 11 May 2011 and closed on 23 June 2011.

2.2 Consultation Approach

The objectives of the public notification period, while tailored to suit the varying audiences, were to:

- Inform members of the community about the purpose and objectives of the Proposed Development Scheme;
- Inform the members of the community, the Council and state government agencies about the progress and timeframes;
- Encourage members of the community to participate in the consultation process, specifically by providing written submissions;
- Encourage Government Agencies to provide comment to the Authority.

With these objectives in mind, a consultation strategy for the Proposed Development Scheme was established by the Authority to ensure that any person wanting to make a submission to the Proposed Development Scheme had adequate access and opportunity to access the information. A number of methods of communication were adopted by the Authority including:

Print Media

- Government Gazette notice outlining the Authority's release of the Proposed Development Scheme and the notification period printed on 11 May 2011;
- Public Notice in the Gatton Star Newspaper outlining the Authority's release of the Proposed Development Scheme, the notification period and the proposed community sessions – advertised on 11 May 2011;
- Hard copies of the Proposed Development Scheme available for collection at the community consultation sessions, at the Gatton Council office, at the Grantham Lucky 7 store and at the Authority's Office; and
- Hard Copies of the Summary Flyer available for collection at the community consultation sessions, at the Gatton Council office, at the Grantham Lucky 7 store and at the Authority's Office.

Web Media

- Electronic viewing of the Proposed Development Scheme on the Authority's website;
- Electronic viewing of the Summary Flyer on the Authority's website; and
- Electronic viewing of the Rebuilding Grantham Together video and other related videos.

Briefing/ Presentations

- Briefing and presentation to Lockyer Valley Regional Council including key Council officers on 10 May 2011;
- Briefing and presentation to Government Agencies on 17 May 2011. Representatives from the following agencies were in attendance:
 - o Department of Transport and Main Roads;
 - o Department of Local Government and Planning;
 - o Department of Environment and Resource Management;
 - o Department of Community Safety;
 - o Department of Communities;
 - o Department of Employment, Economic Development and Innovation; and
 - o ENERGEX.
- Briefing and presentation to members of the community on 11 May 2011 at 6pm and 14 May 2011 at 10am. Both sessions were held at the Grantham State School. There were 80 members of the community in attendance at the session on 11 May 2011 and 12 members of the community in attendance at the session on 14 May 2011; and
- Participation of Authority officers at the community information day hosted by the Council on 11 June 2011.

2.3 Key Consultation Statistics

During the period 11 May 2011 to 23 June 2011, the following key public consultation statistics were recorded:

- 92 members of the community attended Authority led consultation sessions on 11 and 14 May 2011;
- Approximately 300 copies of the Proposed Development Scheme and 500 copies of the Summary Flyer were distributed to members of the community, agencies and interested persons;
- 980 web page hits (unique page views) were recorded on the Authority Rebuilding Grantham web page http://www.qldreconstruction.org.au/operation-queenslander/rebuilding-grantham;
- 117 views were recorded of the Ten News "Rebuilding Grantham" video http://www.youtube.com/watch?v=k S3hP94NZg&feature=player embedded;
- 182 views were recorded of the "Grantham Fly Around" video http://www.youtube.com/watch ?v=Ch8GYjGEBto&feature=player_embedded; and
- 130 views were recorded of the "About the Rebuilding Grantham Plan" video http://www.youtube.com/watch?v=8V1m_T6A8n4&feature=player_embedded.

3. Submission Review

3.1 Providing Submissions

The Authority established a number of mechanisms for the receipt of written submissions. These included:-

- Feedback form provided at the community consultations sessions;
- Feedback form provided in the hard copies of the Proposed Development Scheme and Summary Flyer available for collection at the Gatton Council office, Grantham Lucky 7 Store and the Authority's Office; and
- Feedback form on the Authority's website.

Submissions could also be:-

- Emailed direct to the Authority info@qldra.org.au;
- Mailed direct to the Authority;
- Placed in submissions boxes provided at the Grantham Lucky 7 Store and at the Gatton Council Office; and
- Handed directly into the Authority at the community consultation sessions or at the Authority's Office.

3.2 Submissions Review Process

The submissions review process was established to:

- Ensure all formal submissions were considered in an objective, equitable and fair manner;
- Ensure that the process for assessing submissions and finalising the Development Scheme is transparent and accountable;
- Allow the Minister and the submitters to understand the Authority's consideration of the merits of each submission; and
- Allow the Minister and the submitters to understand to what extent the Proposed Development Scheme is recommended to be amended to reflect the submissions.

The submission review process has been drawn from established Government processes to ensure the effective consideration of submissions. The submission review process is set out in **Figure 1** below.

Figure 1 – Submission review process for the Proposed Development Scheme



STEP 1

Registration of Submission

Submissions were available to be received by one of the following methods:

- Emailed direct to the Authority info@qldra.org.au;
- Mailed direct to the Authority;
- Placed in submissions boxes provided at the Grantham Lucky 7 Store and at the Gatton Council Office; and
- Handed directly into the Authority at the community consultation sessions or at the Authority's Office.

Following receipt of a submission, the submission was registered into an Authority database and allocated a unique submission number – QRA_GRA_submission number > (i.e. QRA_GRA_01).

STEP 2

Acknowledgement of submission letter

An acknowledgment letter was sent to any person who lodged a submission with the Authority. This acknowledgement letter outlined the following:

- Acknowledgement of receipt of the submission;
- Individualised submission register number that had been allocated to the submission;
- Confirmation that the submission would be duly considered in the finalisation on the Development Scheme; and
- Advice that the submitter would later receive a copy of the submissions report and the Development Scheme (Submitted Scheme), once finalised.

The letter was prepared by the Authority's Land Use Planning team and approved and signed by the Chief Executive Officer of the Authority.

STEP 3

Creation of a submission review matrix

This step involved the effective organisation of the submissions to allow for the identification of key matters being raised in relation to the Proposed Development Scheme.

The creation of a submissions review matrix enabled the Authority to accurately record and track the submissions received, and to ensure that each matter raised in each submission was adequately considered.

STEP 4

Classification of submissions

This step allowed the Authority's Land Use Planning team to categorise the matters raised in each submission to enable the identification of any common matters with the Proposed Development Scheme.

This step involved highlighting all matters identified in step 3 with particular reference to the relevant sections of the proposed Development Scheme. This also enabled the identification and addressing of common matters.

STEP 5

Detailed Assessment of Submissionse

This step required the detailed assessment of each submission. **Table 1** provides the detailed assessment of the matters raised in each submission.

STEP 6

Key Matters Assessment and Implementation into the Submitted Scheme

As part of the comprehensive identification of matters outlined in step 5, the Authority provided a response to each matter raised in each submission. The response outlines the recommended action in relation to the matter raised in the submission (i.e. Agreed and action recommended or Noted and no further action required) and an explanation of why a change to the Proposed Development Scheme is required or not required. Please see **Table 1** for a detailed assessment of the matters raised in each submission and recommended action.

STEP 7

Finalise and distribute submissions report and Submitted Scheme to submitters

The Authority recommends changes to the Proposed Development Scheme in line with the agreed changes as specified in **Table 1** and detailed in step 6 above.



Community Consultation session - 11 May 2011

3.3 Submissions Report

This Submissions Report has been prepared to summarise and record the assessment of public submissions made on the Proposed Development Scheme.

In accordance with section 71 of the QldRA Act, this report is to be made publicly available via the Authority's website.

Each person who provided a written submission will receive a notice of the Submitted Scheme having being provided to the Minister, and a copy of this Submissions Report and the Submitted Scheme.

In accordance with section 71 of the QldRA Act, those submitters that are also determined to be affected owners for the Reconstruction Area will be notified of their opportunity to make representations to the Minister about the Submitted Scheme for up to 20 business days following receipt of the notice.

Both submitters and submitters who are affected owners for the Reconstruction Area will be provided with a copy of the Development Scheme once it takes effect.

The Development Scheme for the Grantham Reconstruction Area will not take effect until such time as it has been approved under a regulation.



Community Consultation session - 11 May 2011

4. Consultation Response

Six (6) properly made submissions were received during the formal 30 business day public notification period. At the time of completing this Submissions Report, no further submissions have been received outside the formal notification period. Of the six (6) submissions received, all were written and either delivered to the Authority by Post or Email, except for one (1) submission which was collected from the box provided at Council's Gatton office. There were no submissions received in the box provided at the Grantham Lucky 7 Store.

4.1 Submitter type

The majority of the submissions were provided by members of the community, being five (5) out of the six (6) submissions. The sixth submission was received from the Lockyer Valley Regional Council.

Four (4) of the six (6) submissions received are determined to be affected owners as defined in the QldRA Act with particular reference to section 71(c) of the QldRA Act.

4.2 Matters Raised

Of the six (6) submissions that were received, two (2) submissions raised only one (1) matter whilst the remaining four (4) submissions raised multiple matters.

The submitters raised a number of matters relating to the Proposed Development Scheme. Key submission matters included:-

- Individual land owner matters;
- General statements about the Proposed Development Scheme (for example relating to lot sizes and proposed levels of assessment);
- Specific enquiries about the zonings proposed in the Land Use Plan;
- Comments on the proposed provision of infrastructure in the Reconstruction Area (for example capacity of sewerage treatment plant);
- General enquiries about the context and implementation of the document;
- Suggested memorial design and placement;
- Amendments to zoning provisions to provide additional services to Grantham;
- The implementation of a "Safe Area" or evacuation zone within the reconstruction area;
- To improve detail of maps and illustrations within the Proposed Development Scheme; and
- Enquiries regarding Council's voluntary land swap program.

A detailed assessment of all submissions is included in section 5 below.

5. Detailed assessment of issues raised

Table 1: Detailed submission assessment

No	Submitter issue	Reference	Authority's response	Decision
1	Considerations to include development for food outlets, offices, shops, etc, in the Low Impact Industry Zone, thus providing day to day services for the town and the broader community.	Part 1 - Land Use Plan	The submitter recognises that new business opportunities and additional services may become available through implementation of the Development Scheme. It is noted that the Low Impact Industry Zone is adjacent to the Local Centre Zone which includes provisions for self assessable development of services including food outlets and shops. It is considered that the Local Centre Zone is the appropriate designation for uses such as food outlets and shops and there is adequate land allocated in the Local Centre Zone for this purpose. There is no overriding need to amend the Low Impact Zone to include provision for these services. It is also noted the Submitted Scheme has been amended to ensure a greater mix of industrial, commercial and business type activities are supported in the Showgrounds Precinct.	Noted. No change required.
2	The placement of a 'Safe Area' or community evacuation zone within the Reconstruction Area.	Part 1 - Land Use Plan	While the concept of a safe area is supported and there are sufficient areas within the Reconstruction Area to meet this need, the Development Scheme is not considered the best mechanism for this purpose. It is recommended that the submitter liaise directly with Council in relation the inclusion of the Safety Area within Council's evacuation and disaster management policies.	Noted. No change required
3	The relocation of low impact industry services to more appropriate locations, including the relocation of the existing Grantham service station.	Part 1 - Land Use Plan, and Part 2 – Infrastructure Plan	The Development Scheme allows for the provision of low impact industry uses within the Reconstruction Area through the Low Impact Industry Zone, which is located in the south east corner of the Reconstruction Area, between Morgans Road and Gatton-Helidon Road. The three preferences listed by the submitter for the relocation of the existing service station are both within and outside of the Reconstruction Area. The proposed relocation preferences are: 1. The first preference is located adjacent to a future Council nominated Warrego Highway exit to Grantham. Options for this preference include both land within the Reconstruction Area (south of the Warrego Highway) and outside of the Reconstruction Area (north of the Warrego Highway). In the case of the proposal for the land located outside of the Reconstruction Area, this is an matter for DTMR and the Council to negotiate and cannot be regulated by the Development Scheme. In the case of the land within the Reconstruction Area, the location of access to the highway is not confirmed and is located on land allocated for future showgrounds and will be subject to future Master Planning by Council. 2. The second preference is for the designation of a Low Impact Industry zone outside the Reconstruction Area to the east. Given that the proposal is outside the Reconstruction Area, it cannot be regulated by this Development Scheme. 3. The third preference is to amend the Land Use Plan to change the Community Purposes Zone (on the southern side of the Railway) to the Low Impact Industry Zone in the area between Morgans Road and Rail and is not considered suitable for Low Impact Industry. The shift of low impact industry services away from the designated zones is likely to have negative economic impacts on the existing and proposed uses in the Local Centre and the Low Impact Industry Zone. Furthermore, allocating low impact industry uses away from the main thoroughfares could also result in increasing traffic for commercial viability.	Noted. No change required. The relocation of the service station to the areas outside of the Reconstruction Area is a matter for the submitter to discuss with Council in consideration of Council's new Sustainable Planning Act 2009 compliant planning scheme.
4	The erection of a monument/ memorial devoted to those affected by the events of 11 January 2011, including a design proposal for the memorial.	Part 1 - Land Use Plan	The submitter has a significant history and association with the town of Grantham. The Authority acknowledges the importance of recognising the tragic events that occurred and those community members that were greatly affected by the January 2011 floods. While the Authority is not the agency responsible for the erection and establishment of memorials and or monuments, the proposal for the Grantham Memorial has been forwarded to Arts Queensland which is overseeing the implementation of memorials/ monuments in Grantham. It is noted that the memorial would be an appropriate use under the Community Purposes designation within the Land Use Plan.	Noted. No change required. The memorial committee has been requested to liaise directly with the submitter in relation to the proposed memorial.

5	The design of Stage 1 is set by the identified need for replacement lots to swap. This has been established following consultation with affected owners. The planning regulation cannot compel the sale of flood affected land to the Council. There are compulsory purchase powers for this available to local government. The formal requirement to "swap" land is appropriately addressed in concurrent contracts which would include both arrangements to purchase the new lot and arrangements to sell the affected lot. This is a matter for the Council to address outside of the regulatory provisions.	Part 1 - Land Use Plan and Part 3 - Implementation Strategy	The Proposed Development Scheme does not regulate Council's land swap program. It has however been noted as a significant aspect in the Implementation Strategy and is the principal reason for allowing Council to carry out development over and above that required to facilitate the land swap program in order to recoup development costs where possible. It is also acknowledged in the Intent of the Limited development (constrained land) zone as follows "Any land owners in the limited development (constrained land) zone not electing to participate in Council's land swap program will be required to offer Council the opportunity to purchase or swap the land prior to any future property transfer". It is acknowledged that this provision can only take effect by way of regulation in accordance with section 43 (4) and 44 of the QidRA Act. On this basis, it is recommended that the above paragraph be removed and be subject to further discussions between Council and the Authority with the view to introducing a regulation addressing this matter if it is deemed appropriate.	Agreed in part. Recommended to remove the paragraph "Any land owners in the limited development (constrained land) zone not electing to participate in Council's land swap program will be required to offer Council the opportunity to purchase or swap the land prior to any future property transfer" within the intent of the Limited development (constrained land) zone.
6	Stage 1 makes provision for 81 lots. The demand for lots (number and size) beyond early 2012 is unknown. Flexibility is required to continue to provide for land size equity for ongoing land swap arrangements. In addition, it is likely that the new Showground will create a demand for larger Residential lots for people associated with rural and equestrian activities. There is a high degree of certainty about the mix of lot sizes for Stage 1 because have already indicated their desire to participate in the land swap. This mix cannot be known much ahead of actual demand therefore a flexible arrangement is essential to ensure a suitable and timely outcome.	Part 1 - Land Use Plan	It is acknowledged that the lot layout and configuration beyond stage 1 is currently unknown. The proposed Development Scheme acknowledges this through flexibility applied to both the future layout and levels of assessment. Section 78 of the QldRA Act specifies that if there is a conflict between a Development Scheme and a planning instrument or a plan, policy or code under the Sustainable Planning Act 2009 or another Act, then the Development Scheme prevails. In this regard, it is both necessary and essential that a zoning boundary be determined. In order to recognise the flexibility necessary beyond stage 1, it is proposed to remove minimum lot sizes of 2,000 m2 beyond stage 1. It is also proposed to reduce the minimum lot size for the Rural Residential 1 precinct to 3,000m2 in line with Council's existing Gatton Planning Scheme minimum lot size. The resulting situation beyond stage 1 will mean that the majority of lots will have a minimum lot size of either 1,000 m2 or 3,000 m2. Maintaining these minimum lot sizes is imperative for exempt development. Should lot sizes less than minimums outlined above (for the respective zones) be proposed, they could be considered by Council but would be subject to an impact assessable development application in both the Residential Living and Rural Residential zones.	Agreed in part. Recommended to remove 2,000 m2 minimum lot size in the Residential Living zone (outside of stage 1). Other designations to remain noting that lot sizes less than the minimum of 1,000 m2 or 3,000 m2 (in the respective zones) will require impact assessment in the Residential Living and Rural Residential zones.
7	The Development Scheme provides for approximately 400 lots. The capacity of a sewerage treatment plant has not been addressed and flexibility is essential until short and longer term sewerage capacity is resolved.	Part 1 - Land Use Plan and Part 2 - Infrastructure Plan	The Authority's engineers have advised that the capacity of the sewerage treatment plant proposed or the site is 500 equivalent persons.	Noted. No change required.

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11	Dual Occupancy	Part 1 -	Whilst there are some forms of Dual Occupancy (i.e. supported accommodation, granny flats,	Agreed.
11	Dual Occupancy is an urban form of development and it should be deleted from the Residential Living and Rural Residential zones.	Land Use Plan	etc) that would be appropriate, it is agreed that Dual Occupancy development can increase from code assessment to impact assessment.	Agreed.
12	Reconfiguring a lot provisions The level of assessment table identifies Reconfiguration of a Lot (if not exempt) as Code assessable, however it also states 'i.e. Lots not complying with exempt criteria are compliance assessment'. This needs to be clarified. Reconfiguration subsequent to the initial development (i.e. not owned by Council) is not supported and should be Impact Assessable.	Part 1 - Land Use Plan	It is agreed that the level of assessment table reference should be amended as follows "i.e. lots not complying with exempt criteria are code assessable". It is further agreed that reconfigurations undertaken on land initially developed by Council will be subject to impact assessment. Should Council sell balance stages prior to development, any future reconfiguration by a third party would be subject to code assessment provided that the proposal complies with the applicable criteria.	Agreed.
13	Differentiation of lot sizes by precinct adds complication. The requirement to require reconfiguration in accordance with a lot layout master plan will provide sufficient control. Further, the exempt criteria should not differentiate between lots with an area of 1,000 m2 and 2,000 m2 especially because the future mix of lots sizes is not known. The Exempt Development criteria for reconfiguration of a lot should be as follows: • Lots have a minimum lot size of 1,000m2; • Are owned by Council; and • In accordance with the lot layout master plan and detailed design plan (for infrastructure) to be determined by Council. A second minimum lot size is required for unsewered lots. This size is consistent with the planning scheme reconfiguration requirements for the Rural Residential zone. These changes need to be incorporated into the Residential Living Code. The Code should also be clear that further subdivision of initial lots created is not envisaged.	Part 1 - Land Use Plan	Agreed in part. As outlined above, it is recommended that the 2000 m2 minimum lot size for the nominated Residential Living zone be removed for areas external to stage 1. This does not preclude larger lots from being developed. The second minimum lot size for unsewered lots refers to the Council's current minimum lot size for land within the Park Residential zone or Village zone and as specified in the Gatton Shire Council Planning Scheme. Specifically, the Reconfiguring a Lot Code (A19.4) prescribes a minimum lot size of 3,000 m2 with a minimum development envelope area of 1,000 m2. The current minimum lot size in the Proposed Development Scheme was derived from Council as part of the preparation of the Council Master Plan. Unsewered lots are required to comply with the Plumbing and Drainage Act 2002 (PD Act) and Planning Scheme Policy 5 – Drainage and Wastewater Management Plans. The Queensland Plumbing and Wastewater code has been designed to provide performance solutions to meet the PD Act. It is agreed that the minimum lot size for lots in the Rural Residential zone (external to stage 1) can be reduced to comply with Council's current standards for land in the Park Residential zone as currently defined in the Gatton Planning Scheme which is 3,000 m2.	Agreed.
14	Minimum size for unsewered lots The dominating development factor for determining the area of unsewered residential lots is the suitability of the soil to absorb waste water on site, in the range of weather conditions that might be experienced. The Gatton Planning Scheme requires all rural residential lots to have a minimum lot size of 3,000 m2. The Park Residential Zone (southern Gatton) has a minimum lot size of 1,000 m2. Soil absorption capacity testing is essential for this specific area to be confident that environmental health standards are no compromised in the future. Testing will determine a locally suitable minimum lot size where sewerage is not available.	Part 1 - Land Use Plan	Agreed. As detailed above in Submission Matter No. 13.	Agreed.
15	Community Purposes Zone The levels of assessment Table requires exempt development to be in accordance with any requirement from DTMR and DERM. This cannot be enforced if there is no requirement for an application for exempt development.	Part 1 - Land Use Plan	It is agreed that the requirements from DERM and DTMR both need to be considered as part of future development proposals for the Community Purposes zone. On this basis, the level of assessment should be increased from Exempt to Code Assessable and reference to "in accordance with any requirements of the Department of Transport and Main Roads and Department of Environment and Resource Management" can be removed as code assessable applications in the zone will trigger referral to both of these agencies as part of the development application process.	Agreed.

No	Submitter issue	Reference	Authority's response	Decision
16	Defined Flood Level Thorough out the Land Use Plan there are a variety terms and approaches used for flood level regulation. They include, habitable floor level, defined flood event, habitable floor level 300mmm above the defined flood level. The Development Scheme includes a significant factor of safety for development above the 10 January 2011 flood event. The development area is well defined and small. In these circumstances, a floor level expressed as a reduced level is appropriate. This same level can be applied to redevelopment of flooded premises when that is contemplated. When the Council wide flood study is available for incorporation into the planning scheme, the controls for this particular area can be reviewed.	Part 1 - Land Use Plan	Agreed. References through the document should be amended to refer to "defined flood level" which is defined by Council having regard to the flooding on 10 January 2011. References to "habitable floor level" refer to floor levels a minimum of 300mm above the defined flood level. The Council is currently preparing a flood study for Lockyer Valley and will set the defined flood level having regard to the 10 January 2011 flood event.	Agreed.
17	Limited Development Zone The final paragraph in the Limited Development (constrained land) Zone suggests that it is possible for the Development Scheme to compel owners of this flooded land to offer it to the Council first. An intention to sell land is not "development" for the purposes of the Sustainable Planning regulation. The application of the Limited Development Zone is awkward. It is trying to stop future residential development where a land swap oc- curs, and retain the right to rebuild (with floor level criteria) where the owners at 10 January 2011 want to rebuild. Specification of the flood level must be absolute for this exemption to apply. Consider- ation should also be given to the floor levels for sheds and garages on the exempt development sites. It is assumed that they are also required to be above the flood level. The intention that amalgamated lots obtained by the land swap arrangement are used for agricultural purposes does not sit well with the State Planning Policy that seeks suitable buffers between agricultural uses and residential development.	Part 1 - Land Use Plan	The intent of the Limited development (constrained land) zone specifies that "Any land owners in the limited development (constrained land) zone not electing to participate in Council's land swap program will be required to offer Council the opportunity to purchase or swap the land prior to any future property transfer". It is acknowledged that this provision can only take effect by way of regulation in accordance with section 43 (4) and 44 of the QldRA Act. On this basis, it is recommended that the above paragraph be removed and be subject to further discussions between Council and the Authority with the view to introducing a regulation addressing this matter if it is deemed appropriate. Whilst the Proposed Development Scheme does indicate that dwelling houses are not preferred in the Limited Development (constrained land) zone where the habitable floor levels are below the defined flood event, chapter 9, part 1 of the Sustainable Planning Act 2009 recognises the protection of existing use rights. The Proposed Development Scheme does not seek to remove these rights. Clarification is recommended in the Table of Assessment that dwelling houses are only permitted to be built as exempt development on land in this Zone (and other zones affected by the 10 January 2011 event) if a dwelling house existed on the subject lot at the time of the 10 January 2011 event. Where new dwelling houses are proposed, they will be subject to impact assessment are not preferred in this zone. The aggregation of lots obtained by the land swap does not imply that they will immediately be used for agricultural purposes, but the long term strategy is for these uses to prevail in this zone.	Agreed in part. Recommended to remove the paragraph "Any land owners in the limited development (constrained land) zone not electing to participate in Council's land swap program will be required to offer Council the opportunity to purchase or swap the land prior to any future property transfer" within the intent of the Limited development (constrained land) zone. Recommended to provide clarification to the Table of Assessment for dwelling houses in the Limited Development zone (and other zones affected by the 10 January 2011 event) that dwelling houses will only be exempt development in these zones where a dwelling house existed on the subject site at the time of the 10 January 2011 event (respecting existing use rights).

18	Context The time line is inappropriate as the Development Scheme will not be finalised before the end of June.	Context	It is agreed that the timeline should be updated to reflect the current timeframes.	Agreed.
19	Setback controls These appear in the Zone codes. Are the setbacks measured to the outermost projection or to the external wall? For the Local Centre zone the setbacks are mandatory; however for the Residential Living Zone, the setbacks should be a minimum, with larger setbacks also being an appropriate outcome. Rural Residential Zone AO1.2 – lists the setbacks from boundaries for Rural Residential development. If this zone is retained, the outcomes apply to land and that is appropriate for adjoining or adjacent Residential Living, Local Centre and Community Use zones. Additional setback to the road frontage of 10 metres is more appropriate for other Rural Residential zones and the proposed showground. Alternatively an outcome for setback to a road of 10 metres in the showground precinct is a more appropriate way to manage amenity issues from the use causing them. Particular consideration needs to be given to the small site south of Bowtells Road. Community Purposes Zone A1.2 – The setbacks specified are not consistent with the setbacks of existing development. More consistent setbacks are: (a) Street frontage opposite residential living or recreation and open space zone 0 – 3m; (b) Street frontage from any other location 3m; and (c) Side or rear boundary with residential living or recreation and open space zone 6m. Low Impact Industry AO1.2 - The setback to the road could be 0m as for the Local Centre Zone. This will encourage rear parking and create a consistent streetscape.	Part 2 – Infrastructure Plan	Council's existing Gatton Planning Scheme measures setbacks to the outer most projection of all covered structures including covered and uncovered pergolas but excluding eaves or other sun shading devices projecting out from the walls. The same interpretation is recommended in the Development Scheme. In terms of setbacks within specific zones, the following comments are offered: • Local Centre zone – Noted; • Residential Living zone – Agreed, setbacks should be a minimum 6m setback from the front boundary; • Rural Residential – Agreed, setbacks should be a minimum 10m setback from the front boundary; • Community Purposes zone – Not agreed noting that the existing butter factory building within the Community Precinct of the Community Purposes zone is located 0m from the Victor Street setback in one location; • Low Impact Industry zone – Not agreed as the types of building and built form which would support a 0m setback are not regulated by the Proposed Development Scheme, nor are they proposed to be regulated.	Agreed in part. Recommended that setbacks be reviewed for Residential Living and Rural Residential zones to reflect "minimum" setbacks.
20	Infrastructure required The table on page 39 lists water supply and sewerage together, implying that there is an existing sewerage service in Grantham. This is incorrect. This same error appears in "Local Infrastructure, b." on the same page. The table on page 40 lists infrastructure items; a description of the size of the infrastructure required; and the likely timing. At this time, a detailed design is available for Stage 1 and this review of the documentation reveals that some changes are required to the road layout. It is impossible to determine the future works with the level of accuracy implied by a list such as the one in this table given the land swap concept that underpins this redevelopment plan. Other than for Stage 1 and even for it, the value of the list in the table is questioned.	Plans	It is not agreed that the Proposed Development Scheme implies that there are existing sewerage services in Grantham, however it is agreed that the water supply and sewerage references be separated. Updated detailed designs for stage 1 are recommended to be incorporated into the Development Scheme with schematic designs for the remaining stages noting the obvious variable nature of these schematic designs post stage 1.	Agreed.
21	Map 2 Land Use Plan The location of the rail line crossing has changed. This will affect the final extent of the Low Impact Industry Zone. Once the align- ment of the new road over the railway line is confirmed this can be finalised. Flexibility or a suitable notation is required to accom- modate this.	Reference Plans	An updated detailed design for the rail line crossing being constructed by the Department of Transport and Main Roads will be incorporated into the Development Scheme and an amendment to the Low Impact Industry zone is proposed in accordance with Council's revised Master Plan.	Agreed.

No	Submitter issue	Reference	Authority's response	Decision
22	Map 3 Land Use Plan - Insert A. Bowtells Road east does not have any lots fronting that road. This is not what was intended. The village should not turn its back on the showground. The lot mix in the area serviced by Streets "C", "F", "S", "H", "T" and "G" is not consistent with the current Master Plan. The new park located on the northern side of Boxmoor Street is not shown and the road network in the area requires revision and updating as a result of the new park. If the Rural Residential zone is retained, the maximum area in the legend needs to be altered to "10,000 m2".	Part 2 – Infrastructure Plan	It was always intended that lots fronting Bowtells Road East would have frontage to this road. The land use plan and relevant Infrastructure Plans have been updated to reflect Council's latest Master Plan.	Agreed.
23	Map A Roads Two changes in alignment for road "E". If these indicate traffic calming, then they should be indicated appropriately so that they are reflected in a subsequent staged detail design. Bowtells Road is not shown on the north western boundary of the plan. It is required for access to the showground and therefore should be shown.	Part 2 – Infrastructure Plan	It is agreed that Bowtells Road should be shown and the current alignments for all roads updated in accordance with Council's latest Master Plan.	Agreed.
24	Map B – Water supply Omits a reference to a reservoir.	Part 2 – Infrastructure Plan	At the time the Proposed Development Scheme was prepared, a reservoir was not determined to be necessary. It is agreed that the Development Scheme should be amended to include this requirement based on the current engineering designs.	Agreed.
25	Map C Sewer Shows the proposed location of the waste water treatment plant, however this location my change. A reference to a possible site may be more appropriate at this time.	Part 2 – Infrastructure Plan	The Proposed Development Scheme notes that the "proposed package plant". It is preferable to retain the references at this time noting that the proposed package treatment plant may be relocated based on the final engineering design provided there are no consequential land use implications.	Noted. No change required.
26	Map D - Stormwater Management Requires updating to reflect the road layout change in Stage 1 to accommodate the new park. As a consequence of redesign of the road layout, the stormwater layout in this area has changed.	Part 2 – Infrastructure Plan	The land use plan and relevant Infrastructure Plans (stormwater management) should be updated to reflect the current design of Council's latest Master Plan and engineering design drawings.	Agreed.
27	Implementation Strategy The land swap arrangements do not constitute "development" for the purposes of the Sustainable Planning Act 2009 and are unable to be enforced through a planning regulation.	Part 3 - Implementation Strategy	This is correct. At no stage is the Proposed Development Scheme seeking to regulate Council's land swap program (relocation policy).	Noted. No change required.
28	Residential land uses in an area now zoned "Local Centre Zone" and the possibilities for these lots to be used for residential purposes.	Part 1 - Land Use Plan	The "Local Centre zone" allows dwelling houses to be built as exempt development if a dwelling house existed on the subject lot at the time of the 10 January 2011 event subject to habitable floor level being 300mm above the defined flood level. Where new dwelling houses are proposed outside of this requirement, they will be subject to impact assessment are not preferred in this zone. It is noted that the Council is currently undertaking flood modelling to determine the Defined Flood Level for Grantham.	Noted. No change required.
29	A land owner had a commercial structure which had to be demolished after the 10 January 2011 event, which was in a previous "light industry zone". The site is now a part of the Local Centre Zone. Clarification is sought if the commercial structure can be rebuilt in the new Local Centre Zone.	Part 1 - Land Use Plan	There is no light industry zone in the current Gatton Planning Scheme in Grantham. It should be noted however that there may be some uses with existing use rights which will continue to be protected in accordance with Chapter 9, Part 1 of the Sustainable Planning Act 2009. Notwithstanding this, it should be noted that a service industry use is a self-assessable development within the Local Centre Zone provided that the proposed use meets the assessment criteria of the relevant provisions in the Development Scheme.	Noted. No change required.
30	Submitter seeking confirmation of a location that would be suitable for light industrial uses.	Part 1 - Land Use Plan	The subject site is located in the proposed Low Impact Industry Zone which will cater for light industrial uses. This zone is located on the land between Morgans Road and Gatton-Helidon Road.	Noted. No change required.
31	The submitter raised multiple matters and enquiries in relation to the voluntary Land Swap Program being facilitated by Council.	Part 1 - Land Use Plan and Part 3 - Implementation Strategy	The voluntary Land Swap Program is a Council project in accordance with Council's Relocation Policy. The Authority is not involved in administering or organising the Land Swap Program. All enquiries in relation to the Land Swap Program must be directed to Council. The questions raised by the submitter in relation to the Land Swap Program do not relate to the Development Scheme. Therefore no changes to the Development Scheme are required.	Noted. No change required.

6. State Agency Comments

State agencies were given the opportunity to provide comment on the Proposed Development Scheme. State agency comments were not considered as formal submissions to the Proposed Development Scheme. The Authority has incorporated the state agency comments into the Submitted Scheme were appropriate. The state agency comments are summarised below:

Department of Community
Safety

- Defined Flood Level and habitable floor levels
- · Emergency vehicle access
- Bushfire Risk and Landslide

Department of Transport and Main Roads

- Recognition of the new access to the Reconstruction Area
- Protection of future Gowrie-Grandchester railway corridor

Department of Employment, Economic Development and Innovation,

- Encouragement of a range of activities in the Showground Precinct to encourage local economic growth
- Depict street and creek names on maps within document

Department of Communities

- Ensure the Development Scheme allows for future provision of social, affordable and public housing options
- Encouraging affordable and efficient building design

of Local Government and Planning

- Compliance with the Queensland Planning Provisions
- Suggestions about clarifying the statutory effect of the Development scheme in relation to other instruments, such as the South East Queensland Regional Plan
- Board for Urban Places Housing design advice and capacity building in the Council

Department of Environment and Resource Management

- Recognition of good quality agricultural land and strategic cropping land within the Reconstruction Area
- Confirmation that Development Scheme appears to have adequately acknowledged biodiversity values and applied appropriate land zones.

ENERGEX

- Confirmation that existing network has the capacity to support the new development in the Reconstruction Area over the next 2 years
- Potential provision of additional energy infrastructure in the long term to address increased demand for power (which can be catered for in the Community Purposes Zone)

Queensland Health

- Promotion of active transport (walking and cycling)
- The importance of connectivity between residential, commercial and community zones

7. Conclusion

This Submissions Report has been prepared to provide submitters and the Minister with assurance of the Authority's transparent and accountable process in relation to the assessment of submissions for the Proposed Development Scheme for the Grantham Reconstruction Area.

An extensive consultation strategy was undertaken by the Authority to ensure that the community was able to actively participate in the consultation process, particularly through providing written submissions. The use of a range of consultation methods including print media, web media and community consultation sessions ensured that the community had adequate access and opportunity to access to the relevant information in relation the Proposed Development Scheme.

The adopted consultation approach also ensured that state agencies were able to provide input into the preparation of the Submitted Scheme to the Authority.

In total, the Authority received six (6) formal submissions for the Proposed Development Scheme during the public notification period. The thorough and detailed process for reviewing each submission received, as outlined in this report, has ensured that the Authority considered all submissions in an equitable, objective and fair manner. Furthermore, this report allows the affected owners and the Minister to understand the extent that the Proposed Development Scheme has been amended to reflect the submissions received.

As required by section 70 of the QldRA Act, this Submissions Report summarises the matters identified in the submissions, and provides justification for the extent that the Proposed Development Scheme is to be amended to reflect the matters raised. This justification is required as part of the preparation of the Submitted Scheme.

In accordance with section 72 of the QldRA Act, submitters, who are also affected owners will be provided with 20 business days after receiving notice of the Submitted Scheme, to make representations to the Minister about the Submitted Scheme.

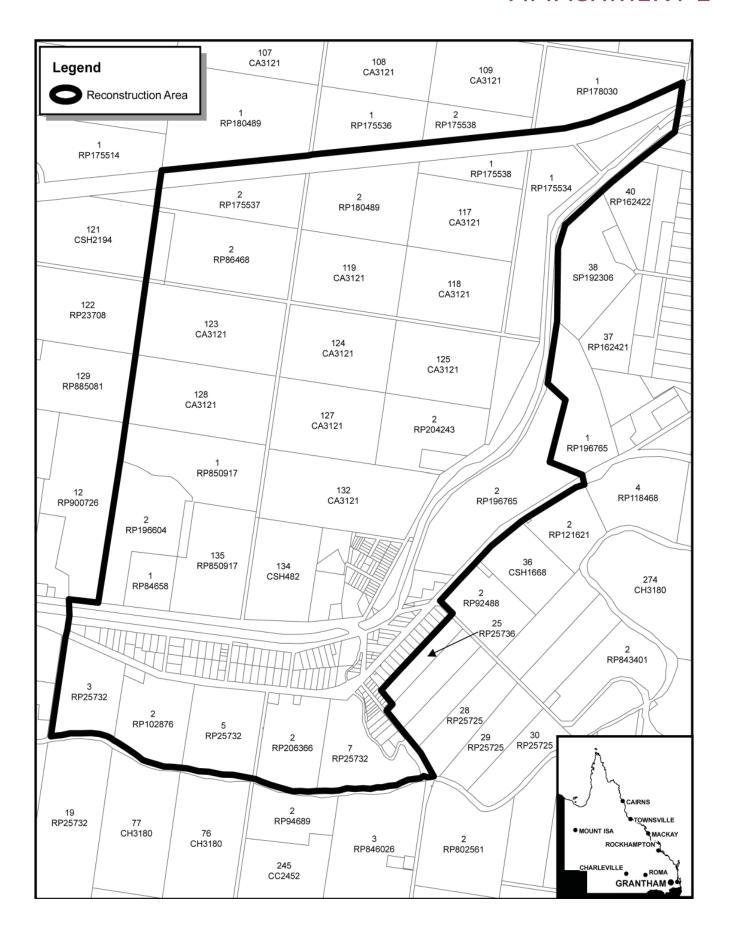
The Development Scheme for the Grantham Reconstruction Area does not take effect until such time as it has been approved under a regulation.

A regulation will not be considered prior to the expiry of the 20 business day period for affected residents. Once in effect, the Development Scheme will be published on the Authority's website and will provide the regulatory framework for the development of the Grantham Reconstruction Area and will ensure that any approval processes are fast-tracked to enable rebuilding to occur in a timely and efficient manner.

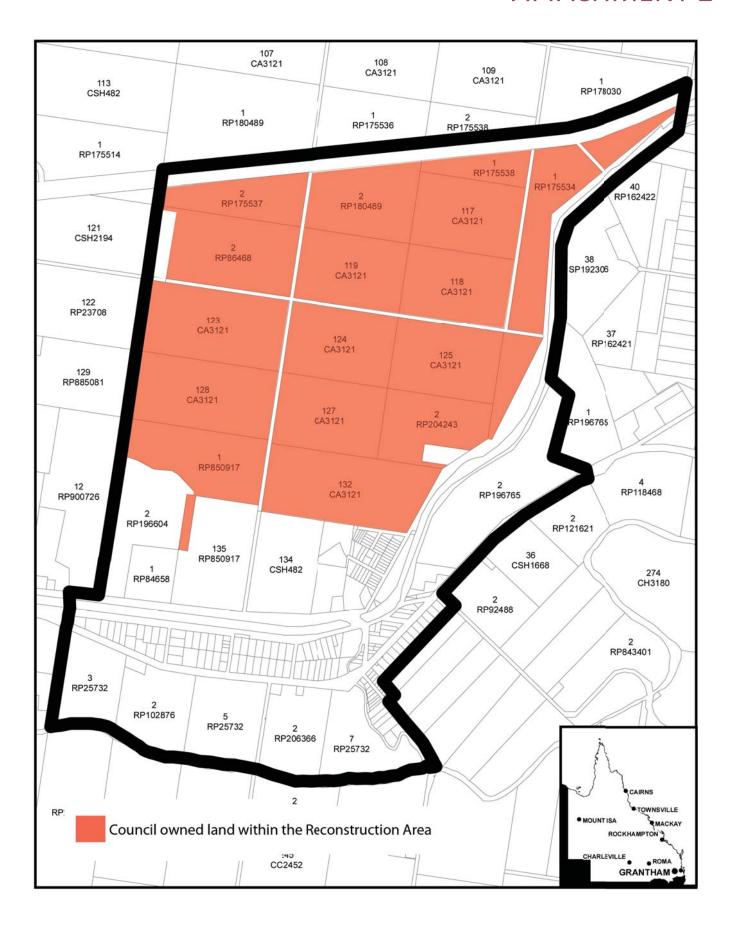
For further information in relation to the Submissions Report, please visit the Authority's website at http://www.qldreconstruction.org.au/operation-queenslander/rebuilding-grantham or contact the Authority on 1800 110 841 or email to info@qldra.org.au.

ATTACHMENTS

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3

