

**Oaths Act 1867**

**Statutory Declaration**

**QUEENSLAND  
TO WIT**

I, Jamie Benn Simmonds, Project Director – Strengthening Grantham, of c/- 26 Railway Street, Gatton, in the State of Queensland do solemnly and sincerely affirm and declare that the following is a true statement containing my response to the queries raised by the Commission in its letter dated 19 August 2011 (ref: Doc1681019):-

I have had regard to information relevant to the following:

- Grantham Master Plan and Stage 1 plan developed by Council;
- Information relating to the Temporary Local Planning Instrument (TLPI) required to undertake operational works on the Grantham site;
- Decision to approve Reconfiguration of a Lot (Code Assessment) for Stage 1 development in Grantham at 75 Philips Rd, Grantham.

**The roles of the Lockyer Valley Regional Council (“The Council”), the Queensland Reconstruction Authority and any other relevant entity in creating the Grantham Development Scheme (“The Scheme”)**

1. In March 2011 the Council, having formulated a general vision for the redevelopment of Grantham based on a concept of voluntary relocation through ‘land swap’, undertook detailed community consultation through a series of workshops with Grantham residents. These sessions were facilitated by Jude Munro and Associates and Deike-Richards Architects. Council used the work done in these workshops in the context of Council’s evolving vision for the site to develop a detailed Master Plan for Grantham.
2. This Master Plan was provided to the Queensland Reconstruction Authority (‘QRA’) so that it could prepare a Development Scheme in the area that was declared a reconstruction area under the relevant provisions of the Queensland Reconstruction Authority Act 2011.
3. To assist the QRA in finalising the development scheme, Council provided the QRA with updated information and modifications of the evolving Master Plan as further design work was done on the Grantham site. Additionally concept

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drawings, indicative illustrations and information relevant to the required engineering works were provided.

4. Council was not directly involved in the drafting of the Scheme and had limited opportunity to provide feedback on the initial draft scheme prior to its release for public comment.
5. Upon release of the draft scheme, Council provided a submission outlining some issues and modifications that were considered necessary to finalise the development scheme.

**The roles of the Council, the Queensland Reconstruction Authority and any other relevant entity in administering the scheme**

6. Upon gazettal of the Grantham Development Scheme on 4 August 2011, the Council became responsible for administering the Scheme.
7. The Scheme will ultimately be incorporated into Council's new planning scheme which is currently being developed.

**The application and effect of the scheme**

8. Since 4 August 2011, for the area to which the Scheme applies, the current Gatton Planning Scheme has no primary application.

**The scheme's use of development controls to encourage or discourage development, including by reference to the following, with examples where possible:**

- a) levels of assessment
- b) the land swap arrangements
- c) the existing town centre

9. The Scheme utilizes typical development controls as found in most contemporary planning schemes but is the first planning instrument in Queensland to apply the Queensland Planning Provisions created under the Sustainable Planning Act 2009. The levels of assessment seek to encourage development that is consistent with the Master Plan primarily in relation to the establishment of the new residential estate for residents relocating from the lower parts of Grantham.
10. In relation to levels of assessment, initially it was intended to allow the development of the Stage 1 residential area (for relocation of residents) to be exempt development in accordance with the Master Plan. However, due to some inconsistencies between the Master Plan and the Stage 1 plan (primarily to do with lot sizes and frontages), a code assessable application for a Reconfiguration of a Lot was made and approved by Council. This application authorised the Stage 1 development to proceed.
11. The QRA developed the levels of assessment and designated the 'Town

Centre'. The levels of assessment are different to the current Gatton Planning Scheme. For example, a dwelling house is now exempt development compared with the Gatton Planning Scheme which treats a dwelling as self assessable development. The 'township' of Grantham has been divided into precincts whereas in the Gatton Planning Scheme the whole area was zoned 'Village'. There was no distinction between residential and commercial uses.

12. The land swap process is not governed by the Scheme. The land-swap and relocation of flood-devastated families is solely a Council-led process and governed by Council policy. Along with the ballot system undertaken by URBIS on behalf of Council, this policy provided the mechanism for flood-devastated families to relocate to the new development. The first ballot took place in August 2011 and subsequent ballots will be undertaken to provide land to other families until July 2012.
13. Residential development in flood-devastated areas is not encouraged.

#### **How the Scheme differs from other planning schemes administered by the Council**

14. The Scheme complies with the Queensland Planning Provisions whilst the current Gatton Planning Scheme does not.
15. The Scheme relies on some elements of the existing planning scheme (e.g. some codes and level of assessment tables) but there are different levels of assessment for key development activities (e.g. reconfiguring a lot).

#### **Whether and why the Scheme is an appropriate instrument for long term use**

16. The Scheme provides a mechanism to direct and regulate the development in Grantham in much the same way as a conventional planning scheme. The Scheme will be incorporated into the new Lockyer Valley Planning Scheme (due mid 2012) and continue to provide direction into the future.
17. The Scheme will probably need some modifications to better achieve its outcomes in the future. For example, currently some residential dwelling proposals will not meet the setback and frontage requirements in the Scheme and would need to be the subject of a code assessable application. As this is not Council's preferred approach, a modification will be necessary to reduce the number of applications required for new dwellings in Grantham. Other changes to clarify and streamline some provisions of the Scheme will also be beneficial over the longer term.
18. The Scheme provides similar outcomes to those able to be obtained through a conventional planning scheme review/amendment process available under existing planning legislation. However, such a process involves a relatively lengthy timeframe. The benefit of the Scheme process was the speed with which it was developed and delivered.

**The relationship between the Scheme and State Planning Policy 1/03”  
Mitigating the Adverse Impacts of Flood, Bushfire and Landslide**

19. The QRA developed the Scheme and would be able to explain how the Scheme addresses SPP 1/03

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1867.



Taken and declared before me at *Brisbane* this *18<sup>th</sup>* day of September 2011, before me.

  
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Commissioner for Declarations