

Q. Is Council approving works either adjacent to or hanging over revetment walls that may need additional work in the future?

➤A. Council must assess works near or adjacent to revetment walls against the following:

- Works/structures on the landward side of revetment walls are regulated through the Redlands Planning Scheme 2006 (RPS 2006).
- Works/structures that extend over or beyond the revetment wall are regulated through the State Prescribed Tidal Works Code.

Queensland operates under a performance based planning system, which allows for a development application to be lodged and assessed on its merits, in accordance with the Planning Act 2016. For works on the land side of the revetment wall, Council must approve the development if an applicant can demonstrate the development is consistent with the provisions in the planning scheme.

At present, an application within 9 metres of a revetment wall in the canal estates must demonstrate that the development will not have an impact on the structural integrity of the wall, will maintain amenity and will not affect legal public access. In circumstances where these matters are addressed, Council would be satisfied that development would not unduly impact on the structural integrity of the revetment wall network.

Regulating the impacts of development in proximity to revetment walls is a complex issue, and Council agrees that all development near revetment walls must be effectively managed.

Q. Who will pay in the event of a structural failure?

➤A. Applications for works near revetment walls need to meet the structural, access and amenity requirements of the RPS 2006 and Building Code of Australia (BCA), mitigating the likelihood of adverse outcomes.

Q. Will the canal overlay be removed and, if so, what will replace it?

➤A. At present, the Redlands Planning Scheme 2006 includes an overlay called the 'Canal and Lakeside Structures Overlay', which triggers a planning application to be lodged for buildings and structures that are proposed within 9 metres of the revetment wall. This application is then assessed against the overlay code.

Draft City Plan takes a different approach by assessing it under a building application rather than a planning application. This approach still ensures the integrity of the revetment walls is taken into consideration by requiring the proposed structure to meet the requirements of the Building Code of Australia (BCA).

In order to highlight the significance of revetment walls the draft City Plan does include a note to emphasise to building certifiers that they (as always) should obtain appropriate engineering certification prior to approving any structures. The note reads: Applicants should also be aware that structures near a canal or revetment wall must maintain the structural integrity of the wall, in accordance with the Building Code of Australia. Any construction closer than 9m would need to be supported by the correct building structural design certificates which prove that any works within this distance will not cause any movement or damage to the existing revetment wall or bank which may have a limited capacity to withstand additional loadings. These matters are to be addressed in any application for building works.

The draft City Plan will continue to include provisions which address residential amenity. In particular the draft City Plan will trigger a requirement for new building applications located within 9m of the revetment wall to be submitted to Council for assessment. Currently under the existing Redlands Planning Scheme, Council considers the impact on residential development of new building applications located within 4.5m of canal revetment walls.

Q&As – Development Applications

- Funding of canals and lake waterways

January 2018

Q. Did council know about its canal fund being non-compliant as far back as 2011 and, if so, why was the issue not addressed sooner?

➤A. No. Council did not know that new canal and lake levies introduced in 2011-12 were potentially non-compliant. The changes were made to the levy in 2011-12 as a result of changes to the Local Government Act in 2011.

It is important to note that the decision to refund unspent collected monies does not affect special charges collected for services or activities for other areas of the city, as the charges being refunded were collected from canal and lakefront property owners and reserved specifically for work on canals and the lake, such as dredging, cleaning and repairs to revetment walls



To ask any questions or to have your say go to:
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