

<b>POL</b>	<b>RETAINING WALLS</b>	<b>LPP 5.12</b>
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<b>POLICY CODE:</b>	LPP 5.12
<b>DIRECTORATE:</b>	Planning and Development
<b>BUSINESS UNIT:</b>	Planning and Development
<b>SERVICE UNIT:</b>	Statutory Planning Services
<b>RESPONSIBLE OFFICER:</b>	Manager, Statutory Planning
<b>FILE NO.:</b>	182/001
<b>DATE FIRST ADOPTED:</b>	21 March 2000
<b>DATE LAST REVIEWED:</b>	14 December 2017
<b>ATTACHMENTS:</b>	N/A
<b>DELEGATED AUTHORITY REF.:</b>	OLPD33
<b>VERSION NO.</b>	7

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	27 September 2012	2 June 2015
	27 February 2014	26 November 2015
	26 February 2015	23 November 2017
OCM:	9 July 2009	12 March 2015
	11 October 2012	11 June 2015
	13 March 2014	10 December 2015

**BACKGROUND:**

There have been instances where developers have erected retaining walls and fences as part of the subdivisional works without first applying for and receiving a building permit from the City. This presents a difficulty for the City's Building Services in the issue of building permits for buildings and structures on lots retained by unauthorised retaining walls, because of uncertainty regarding possible applied loads (buildings or vehicles) and wall foundations.

Developers trying to maximise lot potential on an undulating site have constructed excessively high retaining walls which have impacted on the amenity of the adjoining residential development and the street.

**PURPOSE:**

1. To enable a developer with unauthorised retaining walls to have them certified to the satisfaction of the Manager, Building Services so that a subdivision clearance advice can be issued to the Western Australian Planning Commission.
2. To advise owners/developers of their rights and responsibilities before commencing retaining wall building works.
3. To advise on the development of residential building sites with minimal slope through the provision of bulk earthworks and subdivision retaining walls.

4. To minimise the need for large retaining walls as part of dwelling construction.

**POLICY:**

(1) Unauthorised Retaining Walls (Subdivision)

If retaining walls are constructed as part of a subdivision without a building permit being issued by the City the developer shall provide the Manager, Building Services with a certificate from a suitably qualified independent structural engineer stating that any or all of the retaining walls comply with Australian Standard AS 1170 2002 & 2011 and are capable of supporting the surcharge of a standard (1.8m) fibre cement or powder coated steel timber fence. Details of acceptable surcharge loads for a single or double storey residence on the retaining walls are required. Unauthorised retaining walls will be considered in accordance with provisions of the Building Act 2011.

(2) All subdivision works on sloping topography within the district shall follow the existing contours of the land in order to minimise earthworks, retaining walls and impacts on amenity, solar access and existing views (see Figure 1)

The City may give a direction for a developer to modify or install a retaining wall to ensure a suitable grade for house construction to the extent that no subsequent retaining is required by prospective purchasers.

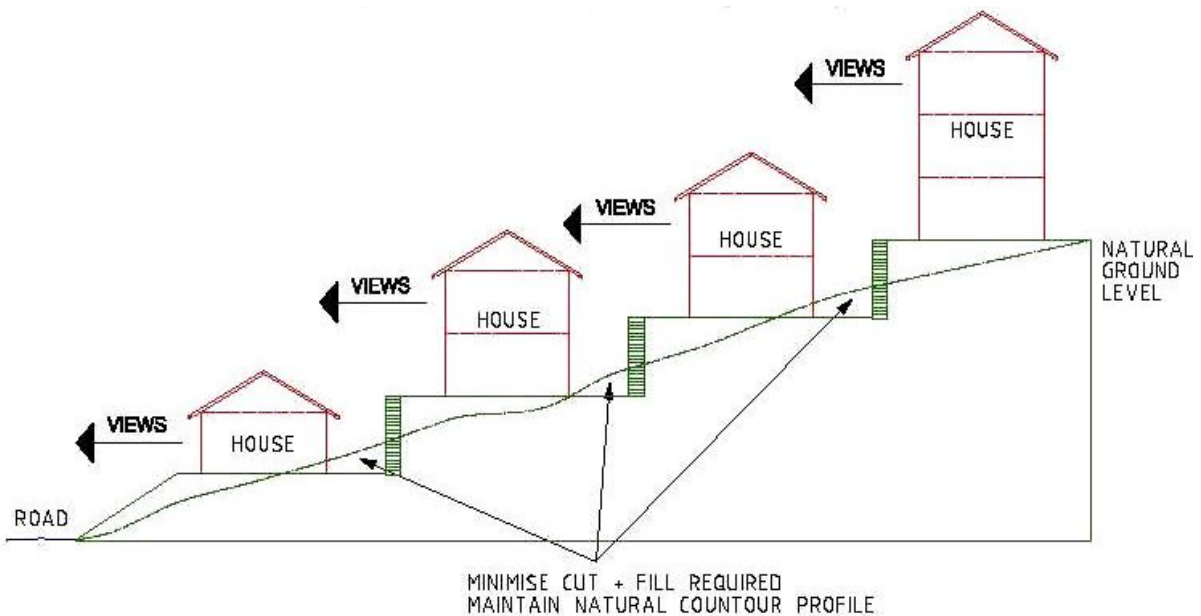


Figure 1: Retaining following existing topography.

(3) Planning approval is required for subdivision retaining walls that exceed 2m in height above natural ground level which abut areas of public domain including a primary and/or secondary streets and/or public open space.

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- (4) Planning approval is required for subdivision retaining walls that exceed 0.5m in height above natural ground level which abut existing residential development outside the subdivision area.
- (5) Concrete post and panel retaining walls will only be permitted where they are not visible from the public domain.
- (6) Application
1. The City must receive and determine an application for a building permit before any work commences.
  2. A retaining wall may be required if building foundation earth filling extends to a property boundary or if building foundation earth is excavated near a building, including fences.
  3. Retaining walls are generally required to be designed by a suitably qualified structural engineer and materials must be durable such as concrete, brick or stone.
  4. The City may require comments from adjoining landowner(s) if a proposed retaining wall does not meet the deemed to comply standards of Part 6.3.7 of the Residential Design Codes (R-Codes).
  5. A delegated Building Surveyor is authorised to approve any retaining wall which is a subdivision retaining wall approved by a suitably qualified structural engineer where it:
    - (a) complies where necessary with an Approval to Commence Development;
    - (b) complies with the R-Codes where applicable;
    - (c) is any subdivision retaining wall; or
    - (d) where a prior subdivision approval has been granted by the Western Australian Planning Commission (WAPC).
  6. Design details of the retaining wall must be submitted together with the engineer's certification.
- (7) Exemption
- Pursuant to Clause 157 of the *Planning and Development Act 2005* the development of earthworks and retaining walls is exempt from requiring the approval of the Local government where the WAPC have granted subdivision approval for works shown on the plan of subdivision.