

Section 3.1 – Development Services

POLICY 3.1.7 **RETAINING WALLS - SUBDIVISION**

OBJECTIVE:

To control the height and bulk of subdivision retaining walls to ensure that the amenity of the urban environment is not compromised by inappropriate development.

DEFINITIONS

“boundary fence” means a boundary fence referred to in section 16 of the Dividing Fences Act 1961.

“height” means the vertical distance from the natural ground level to the top of the wall.

“lot” shall have the same meaning provided within the Residential Design Codes of Western Australia.

“Natural ground level” shall have the meaning provided within the Residential Design Codes.

“non sacrificial graffiti protection” means a coating applied to a fence or wall, which is not removed in the process of removing graffiti.

“public place” means any place to which the public has access.

“Retaining Wall” means a wall designed to retain soil and superimposed load.

“Subdivision Retaining Wall” shall mean a wall designed to retain soil resulting from earthworks associated with compliance with a condition of subdivisional approval issued by the Western Australian Commission and pursuant to Section 20D of the Town Planning and Development Act 1928.

POLICY AREA

This policy applies to the whole of the City of Joondalup.

POLICY STATEMENTS

Excessive retaining is discouraged. The raised height of buildings and the overlooking of an adjoining property resulting in the potential loss of privacy is a matter the City will have particular regard to when assessing retaining wall proposals.

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- 1 A building licence must be obtained from the City prior to any work commencing on the construction of a proposed retaining wall.
- 2 Where an owner(s) of a lot fills that lot above the natural ground level then that owner(s) has an obligation to support that fill through the construction of a retaining wall wholly within the boundaries of the owner(s) lot.
- 3 Where an owner(s) of a lot excavates soil then that owner(s) must provide support for any adjoining lot and superimposed loads, through the construction of a retaining wall wholly within the boundaries of the owner(s) lot.
- 4 The Principal Building Surveyor is authorised to issue a building licence for any retaining wall which:
 - (a) does not exceed 1.2 metres in height or a total of 3 metres when combined with a boundary fence;
 - (b) complies where necessary with an approval to commence development;
 - (c) is an approved subdivisional retaining wall; or
 - (d) exceeds 1.2 metres in height up to 2 metres upon receipt of favourable comments from adjoining owners.
- 5 The Manager Infrastructure Management and Ranger Services may approve subdivision retaining walls not exceeding three (3) metres in height. However, where the subdivisional retaining wall abuts a lot in different ownership then the relevant provisions of the Residential Design Codes shall apply.
- 6 Subdivision retaining walls in excess of 3 metres in height require Council approval.
- 7 Subdivision retaining walls are to be designed in accordance with the City's guidelines for development and subdivision of land.
- 8 Alternatives to slab on ground construction are to be encouraged where it is obvious that due to the gradient and characteristics of the site, major excavation or filling as a result of raft slab construction would be inappropriate.
- 9 Retaining walls abutting a public place shall be treated with a non-sacrificial anti-graffiti coating.
- 10 Where any vegetation on adjoining land has been disturbed for the purposes of subdivision works it shall be rehabilitated within twenty-eight (28) days upon completion of the project. In the interim, erosion control measures must comply with Council Policy 5.3.2 *Sand Drift Control* and Private Property Local Law 1998.

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CURRENT POLICY 3.1.7 **RETAINING WALLS - SUBDIVISION**

OBJECTIVE:

To control the height and ~~buldbulk~~ of subdivision retaining walls to ensure that the amenity of the urban environment is not compromised by inappropriate development.

1 — To encourage the provision of residential building sites with minimal slope by the provision of bulk earthworks and subdivisinal retaining walls.

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

DEFINITIONS

“boundary fence” means a boundary fence referred to in section 16 of the Dividing Fences Act 1961.

“height” means the vertical distance from the natural ground level to the top of the wall.

“lot” shall have the same meaning provided within the Residential Design Codes of Western Australia.

“Natural ground level” shall have the meaning provided within the Residential Design Codes.

“non sacrificial graffiti protection” means a coating applied to a fence or wall, which is not removed in the process of removing graffiti.

“public place” means any place to which the public has access.

“Retaining Wall” means a wall designed to retain soil and superimposed load.

“Subdivision Retaining Wall” shall mean a wall designed to retain soil resulting from earthworks associated with compliance with a condition of subdivisinal approval issued by the Western Australian Commission and pursuant to Section 20D of the Town Planning and Development Act 1928.

STATEMENT

POLICY AREA

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This policy applies to the whole of the City of Joondalup,
~~with the exception of those areas in which the matters the subject of this policy have been addressed in structure plans made in accordance with Part 10 of the Town Planning Scheme. In such instances the terms of the respective structure plan shall apply to this policy.~~

Definition

~~“Engineer” shall mean the person entitled to approve on behalf of the City the nature and extent of works required to satisfy a condition of subdivisional approval.~~

~~“Height” in relation to subdivisional retaining wall shall mean the difference between the top and bottom of the wall measured from the finished earthwork levels.~~

~~However, where the works involve the construction of a retaining wall on top of a subdivisional retaining wall, natural ground level shall be taken as being the halfway height of the subdivisional retaining wall.~~

~~“R Codes” shall mean the Residential Planning Codes.~~

~~“Retaining Wall” means a wall designed to retain soil.~~

~~“Subdivisional Retaining Wall” shall mean a wall designed to retain soil resulting from earthworks associated with compliance with a condition of subdivisional approval issued by the Western Australian Planning Commission and pursuant to Section 20D of the Town Planning and Development Act.~~

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POLICY STATEMENTS

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- 3 Where an owner(s) of a lot excavates soil then that owner(s) must provide support for any adjoining lot and superimposed loads, through the construction of a retaining wall wholly within the boundaries of the owner(s) lot.
- 4 1—The Chief Executive OfficerPrincipal Building Surveyor is authorised to issue a building licence for any retaining wall which;
 - (a) does not exceed 1.2 metres in height or a total of 3 metres when combined with a boundary fence;
 - (ba) complies where necessary with an approval to commence development; and
 - (b) complies with the R-codes where applicable; or
 - (c) is an approved subdivisional retaining wall; or approved by the engineer.
 - (d) exceeds 1.2 metres in height up to 2 metres upon receipt of favourable comments from adjoining owners.

25 The Manager Infrastructure Management and Ranger Services mayEngineer is authorised to approve a-subdivisional retaining walls not exceeding three (3) metres in height-. However, where the subdivisional retaining wall abuts a lot in different ownership then the relevant provisions of the Residential Design Codes shall apply.is:

- (a)a boundary wall and

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~~_____ (b) within 10 metres of a dwelling on an adjoining property in a different ownership;~~

~~the height of that portion of the subdivisional retaining wall shall be determined in accordance with the R-Codes for a distance of 80 metres along the wall centered on the adjoining dwelling.~~

- 6 Subdivision retaining walls in excess of 3 metres in height require Council approval.
- 7 Subdivision retaining walls are to be designed in accordance with the City's guidelines for development and subdivision of land.
- 8 Alternatives to slab on ground construction are to be encouraged where it is obvious that due to the gradient and characteristics of the site, major excavation or filling as a result of raft slab construction would be inappropriate.
- 9 Retaining walls abutting a public place shall be treated with a non-sacrificial anti-graffiti coating.
- 10 Where any vegetation on adjoining land has been disturbed for the purposes of subdivision works it shall be rehabilitated within twenty-eight (28) days upon completion of the project. In the interim, erosion control measures must comply with Council Policy 5.3.2 Sand Drift Control and Private Property Local Law 1998.

Previous Policy No: J3-11
Amendments: CJ213-06/99
Issued: July 1999
Related Documentation: Residential Planning Codes
Delegated Authority Manual

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