

Retaining Walls

What is a retaining wall?

A retaining wall is a wall or structure designed and constructed to support soil at a slope steeper than can naturally be supported.

When is a retaining wall required?

Retaining walls are only required where there is the possibility of land being adversely affected by subsidence. Retaining walls may be required where there are varying levels of land and that land requires supporting at steeper angle than the land can naturally support itself.

Building and Planning consent are required for the following:

- Retaining wall exceeds 500 millimetres in height from the natural ground level and does not meet the required side and rear setbacks under the *Residential Design Codes* (R-Codes).
- Retaining wall in excess of 500 millimetres in height from the natural ground level and within the front setback.
- Terraces created at the top of retaining walls in excess of 500 millimetres may be classed as active habitable spaces, and if these do not satisfy the deemed to comply of the R-Codes for privacy setbacks to the boundary, a planning application will be required.
- It is a requirement of the *Building Code of Australia* (BCA) that a retaining wall is to be built where the land cannot naturally support itself.

Location of retaining walls

Where retaining walls are required, it is preferred that retaining walls are built within the boundaries of the property where the works are proposed.

Retaining walls may only be built across boundaries where there is written agreement between affected neighbours. Where the construction of a retaining wall encroaches across a boundary a BA20 form must be completed and submitted with the building permit application.

Both landowners will also need to sign any planning (development) application forms as necessary.

Positioning of dividing fences near retaining walls

Under the City's *Private Property Local Law 1998*, a dividing fence is to be positioned on the higher ground of a retaining wall which abuts a common boundary.

Privacy and overlooking

A fence of 1.8 metres can be erected on top of a retaining wall that is not located in the front setback area of a property, and is in excess of 500 millimetres in height to prevent overlooking of adjoining properties and maintain the privacy of the adjoining property. Fencing in the front setback area of a property is to be in accordance with the requirements of the R-Codes for front fencing, and further details in this regard can be found on the City's information sheet titled Residential Fencing.

Maintenance of retaining walls

Owners of retaining walls are required to maintain their walls in a structurally sound manner.

If the City is of the opinion that a retaining wall is structurally inadequate, the owner will be required to consult a practicing structural engineer to determine what action, if any, is required to restore the structural integrity of the wall. The cost for the structural engineer's services is the responsibility of the owner.

Building permit

A building permit is required where a proposed retaining wall exceeds 500 millimetres in height.

The City requires that such retaining walls are designed by a structural engineer; therefore applications are to be accompanied by signed structural engineer's drawings.

Building Permit application requirements

An application for a building permit requires the following information:

- Completed building permit application form BA1 or BA2
- Site Plan – two copies to a scale not less than 1:200, indicating:
 - site boundaries and building setbacks
 - existing and proposed levels
 - all existing structures, and
 - the location of the proposed structure and distances to the boundaries.
- Two copies of the floor plan, elevations, cross section drawn to a scale 1:100; indicating all dimensions.
- Two copies of specifications with a completed addendum indicating the types of materials to be used.

- The application form must indicate the estimated construction value at current market rates and the name and registration number of the builder. The original signature of the builder must be on the completed application form.
- If the estimated value of the construction is expected to exceed \$20,000, a separate application must be submitted for approval as an owner builder. Please be aware that approval to be an owner builder can only be granted by the Building Commission of Western Australia.
- If additional information is required the City will contact you promptly following the lodgement of your application.
- Proposed wall location.
- Two original signed copies of engineer's structural details.

Planning application requirements

A planning application is required for the development of land in excess of 500 millimetres above natural ground level. Applications can be made via completion of a *Codes Variation Form*.

Please refer to the City's Planning Application Checklist available at the City's Customer Service Centres or via the City's website at joondalup.wa.gov.au for further information on submission requirements.

Fees

Please refer to the *Building Services Schedule of Fees* and *Planning Services Schedule of Fees* available via one of the City's Customer Service Centres or the City's website.

Further information

For further information, please contact the City's Building Services on **9400 4961** or Planning Services on **9400 4460**.

Alternatively, information is provided via the City's Customer Service Centres or the City's website at joondalup.wa.gov.au

You may visit the City of Joondalup Libraries – Joondalup to view a copy of the BCA.

Information regarding the R-Codes may be viewed via the Department of Planning website at planning.wa.gov.au or purchased from the State Law Publisher – Western Australia at slp.wa.gov.au