

## 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.

## Section 3.1 – Development Services

- 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.~~

~~4~~ 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.

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**5 The Principal Building Surveyor is authorised to issue a building licence for any retaining wall which has been approved under point 4 above.**

~~66~~ Subdivision retaining walls in excess of 3 metres in height require Council approval.

~~77~~ Subdivision retaining walls are to be designed in accordance with the City's guidelines for development and subdivision of land.

~~88~~ 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.

~~99~~ Retaining walls abutting a public place shall be treated with a non-sacrificial anti-graffiti coating.

**Section 3.1 – Development Services**

~~4010~~ 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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