

Retaining Walls Policy

Responsible Division	Office of the Chief Executive Officer
Responsible Business Unit	Property and Economic Development
Responsible Officer	Acting Manager Property and Economic Development
Affected Business Units	Property and Economic Development Statutory Planning and Compliance Statutory Building
ECM Document Set ID	4836542

Purpose

The purpose of this policy is to provide standards for considering retaining walls and associated site works within residential and non-residential zones in the City.

Objective

The objectives of this policy are to:

1. Ensure a transparent and consistent approach for assessing site works including retaining walls and fill for residential development and non-residential development.
2. Provide site and development requirements that consider the range of properties with varying site level gradients.
3. Ensure non-residential development responds to the local context and are street-orientated that integrates with surrounding areas.
4. Ensure non-residential development that considers and responds to the natural features of the site and requires minimal excavation/fill.

Scope

This policy applies to all development within residential and non-residential zones within the City of Bayswater.

With regards to residential zones, this policy provides direction and clarity on the application of Residential Design Codes Volume 1 (R-Codes) design principles of Part B element 5.3.7 and Part C element 3.5 Site works. For residential development, it is intended as a guide for consistent application of retaining wall and associated fill provisions of the R-Codes.

This policy in no way alters the R-Codes deemed-to-comply requirements of elements 5.3.7 and 3.5, or equivalent development provisions contained within an approved activity centre plan, structure plan or local development plan. Those provisions shall prevail.

Definitions

For the purposes of this policy -

Average natural ground level	has the meaning given in Appendix 1.
Natural ground level (NGL)	has the same meaning given in the R-Codes.
Non-residential zone	are all other land use zones except 'Residential Zones,' including but not limited to commercial zones and industrial zones.
Street boundary (for residential)	has the same meaning given in the R-Codes.
Street boundary (for non-residential)	unless otherwise designated by the City, the sole or principle public road that provides access to the major entry (front door / entrance) to the building.

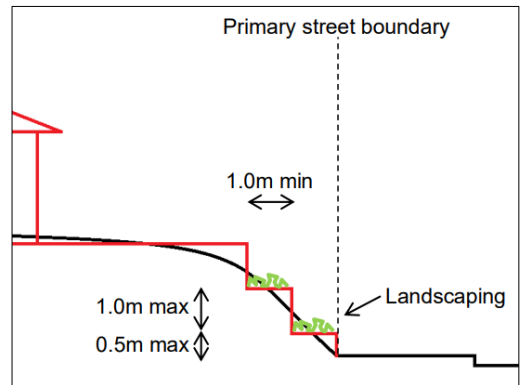
Requirements

Residential Development

- Retaining walls and/or site works within the street setback area and not meet the deemed-to-comply requirements of the R-Codes shall comply with the following:

Retaining walls and/or siteworks within street setback area

Height above NGL	Requirements
1.1 Greater than 0.5m	<p>(a) Shall be setback a minimum 1.0m from street boundary;</p> <p>(b) Shall be terraced with maximum retaining wall heights of 1m above NGL, separated by a minimum horizontal distance of 1m;</p> <p>(c) Provide sufficient soft landscaping between each terraced retaining walls; and</p> <p>(d) No higher than calculated average NGL of the site (refer appendix 1).</p>



2. Retaining walls and/or site works not located in the street setback area, and not meeting the deemed-to-comply requirements of the R-Codes shall comply with the following:

Retaining walls and/or siteworks behind street setback area

Height above NGL	Requirements
2.1 Greater than 0.5m, up to 1m	(a) Shall be no higher than the calculated average NGL of the site (refer appendix 1); or (b) Demonstrate servicing, drainage or vehicular access issues on site which cannot reasonably be addressed without retaining walls.
2.2 Greater than 1m	(a) Shall meet clauses 2.1(a) or 2.1(b); and (b) Consultation undertaken with all affected adjoining landowners in accordance with the R-Codes and no planning-based objections are received.

3. Retaining walls and/or site works not meeting the requirements of clauses 1 and/or 2 will only be considered in exceptional circumstances of any unique factors affecting the development capability of the site and are consistent with the design principles of elements 5.3.7 or 3.5 site works of the R-Codes.

Non-Residential Development

4. Retaining walls and/or siteworks associated within non-residential development located within the street setback area shall comply with the following:

Retaining walls and/or siteworks within the street setback area

Height above NGL	Requirements
4.1 0.5m or less	(a) Permitted up to the street or lot boundary.
4.2 Greater than 0.5m	(a) Shall be setback a minimum 1m from street boundary; (b) Shall be terraced with maximum retaining wall heights of 1m above NGL, separated by a minimum horizontal distance of 1m; (c) Provide sufficient soft landscaping between each terraced retaining wall; and (d) No higher than calculated average NGL of site (refer appendix 1).

These provisions are to be read in conjunction with Part 8 of the City's Town Planning Scheme No. 24 (TPS24).

5. Retaining walls and/or siteworks associated within non-residential development located behind the street setback area shall comply with the following:

Retaining walls and/or siteworks behind street setback area

Height above NGL	Requirements
5.1 Greater than 0.5m, up to 1m	(a) Shall be no higher than the calculated average NGL of site (refer appendix 1); or (b) Demonstrate servicing, drainage or vehicular access issues on site which cannot reasonably be addressed without retaining walls.
5.2 Greater than 1m	(a) Shall meet clauses 5.1(a) or 5.1(b); and (b) Consultation undertaken with all affected adjoining landowners in accordance with TPS 24 and no planning-based objections are received.

These provisions are to be read in conjunction with Part 8 of TPS24.

6. Retaining walls and/or siteworks not meeting the requirements of clauses 4 and/or 5 will only be considered in exceptional circumstances of any unique factors affecting the development capability of the site and are consistent with the objectives of this policy.

All development

7. A 1.8m high screen shall be erected above any retaining walls 0.5m or higher above the NGL, behind the primary street setback and adjacent to a lot boundary.
8. Applications for retaining walls and/ site works exceeding 0.5m in height on vacant sites shall not generally be approved unless they are accompanied by plans for future development of the site or are required to address conditions of subdivision approval.
9. Retaining walls and/site works that are required to address conditions of subdivision approval do not require development approval under a Local Planning Scheme (Section 157 of the *Planning and Development Act 2005*). Notwithstanding this, drawings are required to be submitted to the City for approval detailing levels, drainage, nature of soil, and physical features as required to address requirements of subdivision approval. The City will seek retaining wall heights in accordance with this policy where practical.

General policy notes:

- *Retaining Walls are to be contained wholly within a development site.*
- *This policy does not preclude the application of other design elements including street surveillance, street walls and fences, sight lines, vehicle access, visual privacy and solar access for adjoining sites.*

Related Legislation

City of Bayswater *Town Planning Scheme 24*

Residential Design Codes

Planning and Development (Planning Codes) Regulations 2024

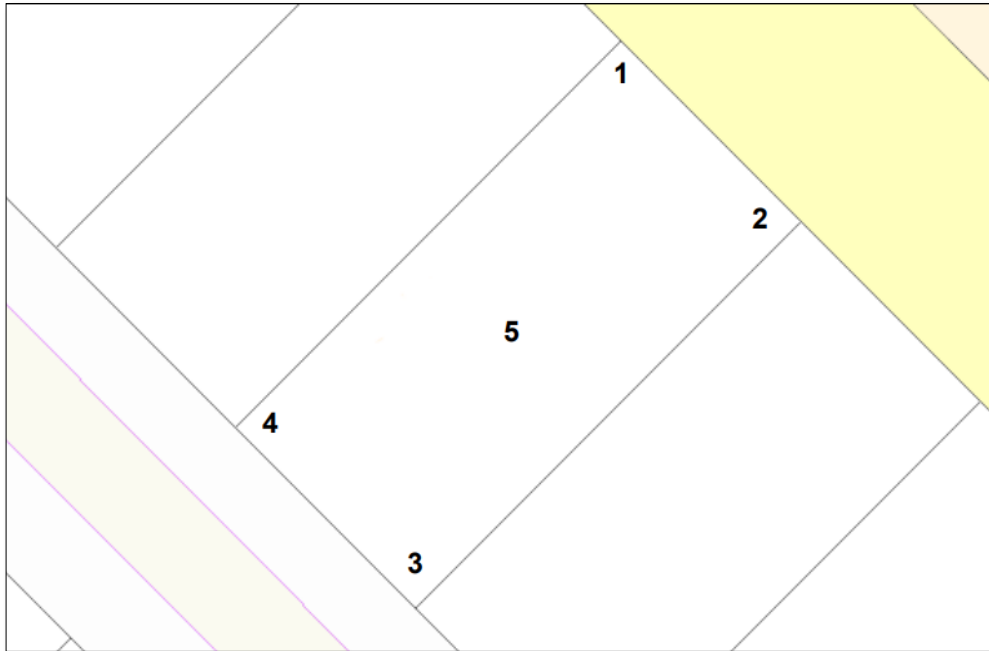
Schedule 2, Part 2 *Planning and Development (Local Planning Schemes) Regulations 2015*

Document details

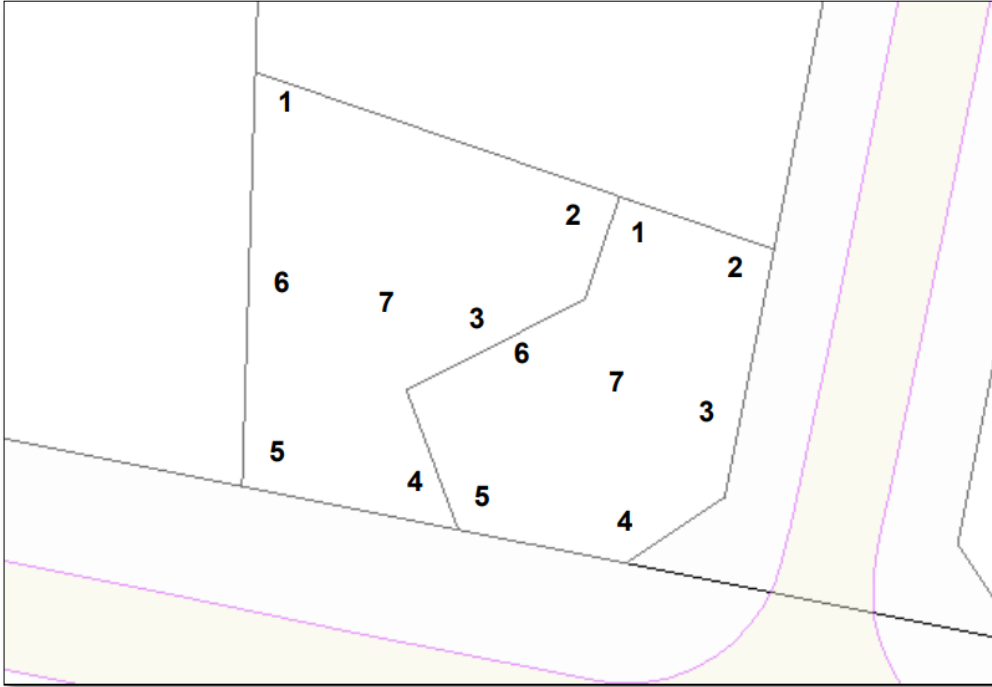
Relevant delegations	TP-D01		
Risk evaluation	Low		
Strategic link	Environment and Liveability Maintain the identity and heritage of our neighbourhoods while supporting an increase in high quality density around transport nodes		
Council adoption	22 July 2003	Resolution	12.4.4
Reviewed/modified	28 April 2009	Resolution	13.18
Reviewed/modified	17 July 2018	Resolution	9.3
Reviewed/modified	22 October 2024	Resolution	10.5.2.12
Next review due	October 2028		

Appendix 1 – Calculation of Average Natural Ground Level

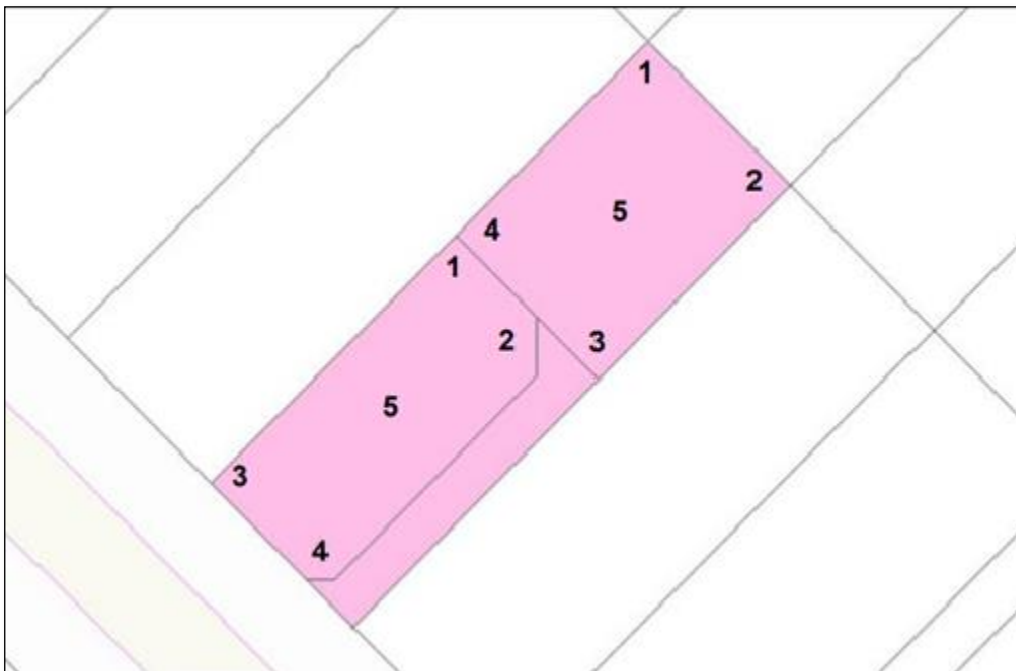
Regular (Rectangular) Shaped Lots - Average NGL for regular lots is calculated by averaging the NGL of five points indicated in the diagram above (four corners and centre). The levels of all points are added together and divided by the total number of points (five in this instance) to provide the average.



Irregular Shaped Lots - When calculating average NGL for an irregular lot there is no set method, however generally it is recommended additional points are included to provide greater coverage across the lot. It is important to ensure the points are similarly spaced to prevent the average tending towards the level of a particular spot within the lot.



Survey-strata Lots - Average NGL for lots within a survey-strata subdivision shall be calculated separately for each individual survey-strata lot. Common property areas shall be provided at an appropriate level to facilitate servicing and access to associated lots.



Multiple Averages - At the discretion of the City, large lots or lots exhibiting significant NGL variation may utilise multiple averages when calculating average NGL. This approach is most suitable for large strata developments. A tiered series of finished ground levels may be achieved through individually calculating the average for separate areas of the lot. Where multiple averages are utilised, the separate areas shall typically be of a similar size.

