



**muswellbrook
shire council**

Retaining Walls Policy

Policy R26/1

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Policy Objective

To define Council's requirements for the minimum construction standards for retaining walls proposed to be built on or within 1.0m of a property boundary and over 500mm in height, measured from the top of the footing to the top surface of the wall.

Policy Statement

Muswellbrook Shire Council is committed to ensuring that retaining walls proposed to be built on or near boundaries are designed and constructed to achieve the required outcomes and do not impose unreasonable restrictions or maintenance costs on current and future owners.

Risks being addressed

This Policy is addressing the risk of development on sloping sites failing over time causing damage to adjoining properties and risk to life.

Scope

This policy applies to retaining walls proposed to be built on or within 1.0m of a property boundary and over 500mm in height, measured from the top of the footing to the top surface of the wall.

Definitions

This policy applies to proposed retaining walls that are proposed to be built within 1.0m of a boundary.

For the purposes of this policy the term "*boundary*" includes:

- An allotment boundary to Torrens title land;
- A boundary to a community title or strata title lot; and
- any proposed boundary that is to be created through a subdivision of any land;

Application

1. Materials

All retaining walls covered by this policy must be constructed of materials that are durable and resilient with a minimum design life of at least 60 years such as masonry, concrete or stone. Treated pine is not permitted.

2. Structural Certification of Retaining Wall

All retaining walls covered by this policy must be designed and certified as complying with Australian Standard AS4678 "Earth Retaining Structures" by a practising structural engineer where the design includes dead and live loads expected to arise from the intended use of the retaining wall in its location including but not limited to the installation of fencing, filling, plantings, parking of vehicles or the installation of typical light weight buildings that are ancillary to the primary use of the land.

3. Easements for Support

Suitable easements for support are to be registered on land within a distance of 1.0m of any retaining wall covered by this policy. The easements for support are to enable the protection of the structural integrity of the wall.

4. Restrictions as To User Not Permitted

Restrictions as to user that are aimed at overcoming a limitation in the structural capacity of a retaining wall, due to the design not including dead and live loads expected to arise from the intended use of the retaining wall in its location, including but not limited to the installation of fencing, filling, plantings, parking

of vehicles or the installation of typical light weight buildings that are ancillary to the primary use of the land, are not permitted.

5. Relationship to Development Control Plan (DCP)

This local planning policy supplements the Muswellbrook Development Control Plan 2009 (DCP). Where a provision of this Policy is inconsistent with the DCP, the DCP prevails.'

Associated Council Documentation

This local planning policy supplements the Muswellbrook Development Control Plan 2009 (DCP). Where a provision of this Policy is inconsistent with the DCP, the DCP prevails.

Authorisation Details

Authorised by:	Council
Minute No:	190
Date:	22 December 2020
Review timeframe:	Within 12 months of a Council election
Department:	Planning, Environment and Regulatory Services
Document Owner:	Executive Manager Environmental and Planning Services

Details History

Version No.	Date changed	Policy type	Modified by	Amendments made
1	10/08/2016	External	Edward Love	Adopted by Council 10 August 2016, minute number 41.
2	22/12/2020	External	Sharon Pope	Updated formatting and replacement of the phrase 'fit for purpose' with "designed and constructed to achieve the required outcomes".