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Legal (Parent):
1. Building Act 2011

Legal (Subsidiary):

ADOPTED POLICY

Title:	BUILDING CONTROL – RETAINING WALLS, EXCAVATIONS AND EARTHWORKS
Objective:	To ensure adequate consideration of retaining wall, excavation and earthworks proposals, particularly where the amenity of neighbouring property may be impacted upon.

- 1.0 Where an application for a building licence proposes excavation and/or backfilling, details of the proposed change of levels of the natural ground and the method of construction and materials of the required retaining walls shall be included in the drawings and specifications.
- 2.0 Timber retaining walls shall not exceed 750mm in height within 1m of a property boundary, and no timber retaining wall shall carry any superimposed loads.
- 3.0 Drawings and specifications for retaining walls, where required by an Officer of the City, shall be accompanied by a certificate from a practicing structural engineer that when completed, the retaining walls will be structurally sound and capable of supporting the loads, as may be exerted upon them.
- 4.0 In order to safeguard the amenity of owners, adjoining land in relation to backfilling and the construction of retaining walls, the building licence shall be endorsed with the condition 'Builder shall not commence to construct a building until all excavations, backfilling and retaining walls have been satisfactorily completed unless otherwise approved in writing by the Building Surveyor'. The Building Surveyor shall only permit commencement of building works on site prior to completion of any excavations, backfilling or retaining where it can be demonstrated that such actions will not detract from the amenity or safety of adjoining owners or occupiers.
- 5.0 With respect to clause 3.0 above, loads to be supported by retaining walls are those due to the soil conditions, land use or structures existing or approved at the time of determination of the application for retaining.
- 6.0 Where retaining or excavation is proposed within 3 metres of a building belonging to an adjoining owner and excavation is to extend to a level lower than the foundations of that building, the applicant is to be advised that the relevant requirements of the Building Act 2011 with respect to underpinning and notification, are to be complied with prior to the commencement of works.