



RETAINING WALLS INFORMATION SHEET

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.

Whilst retaining walls are primarily designed to support soil, they may also be placed under a stress from other factors such as buildings, footings, vehicle loads, driveways, water, and wind loads on dividing fences.

Most walls are designed to support soil only, and these walls are termed "non-surcharged". It is very important to ensure the wall you intend to construct is designed to support any surcharge that may be placed upon it.

Many areas within the Shire have reactive clay soils and will require sub soil drains to be constructed along with the retaining wall.

Who is Responsible for a Retaining Wall?

The natural ground level at the boundary of a lot must be maintained. If a person excavates below the natural ground level or fills above the natural ground level, then that person has an obligation to provide a suitable retaining wall or durable embankment, to ensure the natural ground level and any existing surcharge load at the boundary is maintained.

In some instances adjacent owners sharing a common boundary may need to proportionately contribute to the construction of a retaining wall(s) or durable embankment(s).



When Do I need Shire Approval?

A Building Permit is required where –

- retaining exceeds 500mm in height or
- is added to an existing retaining wall and/or
- in the case of tiered retaining walls - exceeds 500mm in total height.

The Shire requires that where the total height of a proposed retaining wall exceeds 500mm in height, (including adding to an existing retaining wall and/or in the case of tiered retaining walls exceeds 500mm in total height), that such walls are designed by a Structural Engineer, therefore, applications for building approval are to be accompanied by signed Structural Engineer's drawings.

Planning approval is required when –

- a retaining wall exceeds 500mm in height from natural ground level and does not meet the required side and rear setbacks under the Residential Design Codes (Variation 1) OR
- a retaining wall exceeds 500mm in height from the natural ground level and is within the front setback

[Building Licence and Planning Approval application forms](#) can be downloaded from the Shire's website.

Associated Costs

The cost for any retaining works is a civil matter. Each landowner has an obligation to retain soil where necessary resulting from earthworks on their own property at their own cost. Where works are required to a common boundary and each owner has changed the natural contour at the boundary; the owners are encouraged to negotiate a proportional agreement. If both parties cannot reach an agreement as to who is responsible for retaining the difference in ground levels it may be necessary to seek legal advice.

PLEASE NOTE:

- A fence must not be used to retain soil unless it is designed to do so.
- Retaining walls shall be constructed entirely within one property. They are not permitted to straddle the boundary.

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