

# Building Information Note

## Retaining Walls

The following information is a guide to assist you in understanding responsibilities and obligations in relation to the construction and maintenance of retaining walls. It does not purport to be, nor is it intended to constitute legal advice.

### General

Council provides you with some information to assist in determining when walls are needed, the responsibilities of the parties involved and acceptable materials in which retaining walls may be constructed from.

### When a wall is required

The general rule is that the property owner who changes the level of the land, either by excavation or filling, is responsible for building a retaining wall. It should be noted that planning approval is required for total change in height of 500mm or greater.

### Responsibility

If both adjoining owners have altered the land levels at the boundary to some extent, then each owner is responsible for the construction and maintenance of the retaining wall to the extent of the alteration caused by each property owner.

This may be determined by comparing the current land levels to the original land levels as they were prior to any site development.

It may be necessary to engage the services of a licensed land surveyor (at the property owners expense) to assist in the determination of responsibility, ie the height of wall that each party is responsible for.

The responsibility for maintaining the wall is borne by the property owner onto whose property the retaining wall resides, unless an agreement has been formed between neighboring property owners.

### Design of wall

The retaining wall must be designed to engineering standards and designed to accommodate all loadings that it may be subject to. This includes the earth and any surcharged loads placed on it such as building, vehicle loads and another adjacent retaining wall etc.

### Materials

Retaining walls located on or adjacent to a lot boundary must be constructed in masonry type materials. I.e. brickwork, stone block work such as limestone or granite, or concrete such as concrete post and panel systems. Materials such as timber sleepers, metal sheeting or cement fiber sheeting **will not** be regarded as being a suitable material and will not be approved.

## Building Permit

A building Permit must be obtained prior to constructing any retaining wall 500 mm or greater. Required details are a completed application form and payment of fees together with a copy of construction drawings such as a site plan showing the location of the wall and your engineer's designed and certified retaining wall detail.

Notwithstanding if a building permit is required or not, a retaining wall must be designed and constructed in accordance with engineering principles.

### One wall or two walls

If both adjoining neighbors are required to construct a retaining wall, then it may be possible to construct either one large wall to retain the entire difference in land level of both parties, or each party may construct a wall to the extent of the alteration caused by their own earthworks.

If two walls are constructed, each wall must be located within the applicable site boundary and must be separated by a distance as specified by the engineer.

If one wall is constructed, the wall must be contained entirely on one site. The wall **must** not encroach beyond the title boundary line.

### Examples

The following are three diagrammatic examples to assist you in determining the responsibility of each party and the requirement to ensure stability is maintained to not only the land, but also any existing adjacent building or retaining wall.

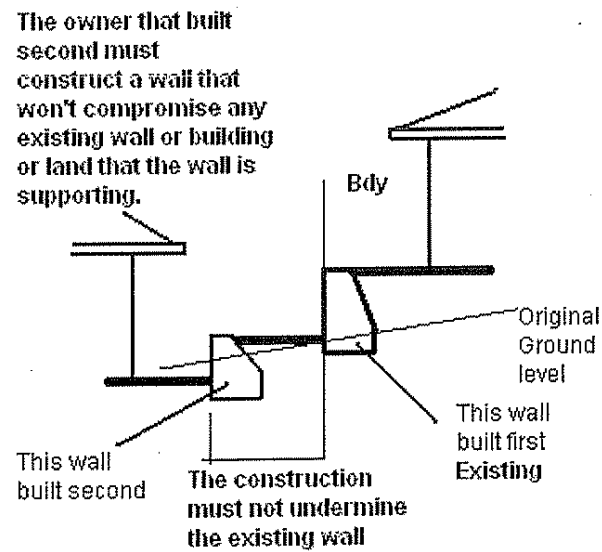
Your engineer should inspect the site and familiarize himself with the site conditions, such as soil profile and classification so as to be able to produce a suitable design for the site and application.

#### Example 1

- a. The person on the high side has constructed their retaining wall first.
- b. The person on the low side decides to build a wall after the neighbour on the high side has built

The proposed wall must not undermine the existing wall. The lower wall must either accommodate all loads from the existing wall, or be separated to a distance so as not to be affected by the existing wall.

Your engineer will be able to provide you with advice regarding this matter.

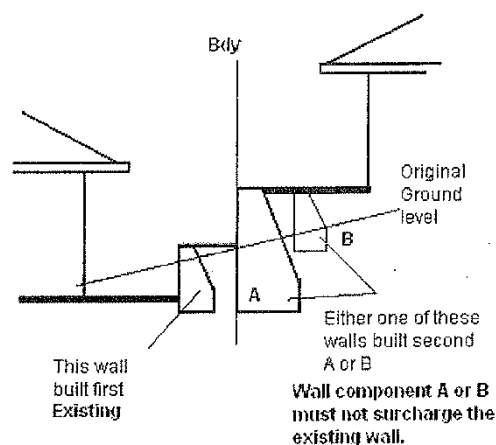


### Example 2

- The person on the low side has constructed first.
- The person on the high side decides to construct a wall after the first wall has been constructed.

The proposed wall must not surcharge the existing lower wall. Two choices are available:

- One large wall built to a level so to not surcharge the existing wall.
- A wall separated at a distance so as to not affect or load up the existing wall.



### Example 3

If both owners build a wall and decide to build it at the same time and decide to build one wall. Then the wall must be of design to accommodate the loads of the combined height and should be built entirely on one property or the other.

