

Building – Retaining Walls

Retaining Walls

A retaining wall is a wall or structure designed and constructed to support soil at a slope steeper than can naturally be supported. (Angle of repose e.g. Sand = 45°)

A Building Permit is required by the Town where any proposed retaining wall is to be located within 1.0m of the boundary or if not on boundary, where it is greater than, or equal to 500mm in height.

While 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 retaining walls are designed to support soil only; 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.

A fence should not be used to retain soil unless it is designed to do so.

Building Approvals

Prior to erecting a retaining wall greater than 500mm in height or within 1.0m of a boundary, an application for a Building Permit is to be submitted to Council, and must include the following:

- Site Plan – showing proposed location and height of the retaining walls
- Structural Drawings – designed/certified by a Structural Engineer when > 500mm in height or within 1.0m of a boundary.
- Proximity of adjacent buildings/structures

Prior to constructing a retaining wall on a residential lot that will increase the level of your site by a minimum of 500mm at the boundary of your neighbours lot, an application for a Planning Approval is to be submitted to Council, and must include:

- Site Plan – showing proposed location and height of retaining walls at the boundary
- Neighbour comments regarding the proposal



Frequently Asked Questions

When is a Retaining Wall required?

When natural ground levels are altered in such a way that affects the common boundary between properties, a retaining wall or other type of approved soil retaining method must be installed.

Differences in the ground levels between properties is created by cutting (lowering) or filling (rising) the natural ground level or a combination of both.

An embankment with a slope ratio that exceeds those described in the following table must be retained or appropriately stabilised.

B.C.A Table 3.1.1.1
Notes: For the purposes of this Table:

- Retaining walls or other types of soil retaining methods must be installed where—
 - the slope ratio is more than that described in Table 3.1.1.1; or
 - the soil type is not described in this Table.
- Embankments that are to be left exposed at the end of the construction works must be stabilised by vegetation or similar works to prevent soil erosion.

(a) Fill

(b) Cut

SOIL TYPE (*see Part 3.2.4 for material description)		EMBANKMENT SLOPES H:L	
		Compacted fill (see Part 3.2)	Cut
Stable rock (A*)		2:3	8:1
Sand (A*)		1:2	1:2
Silt (P*)		1:4	1:4
Clay	Firm clay	1:2	1:1
	Soft clay	Not suitable	2:3
Soft soils (P*)		Not suitable	Not suitable

Who is responsible for the construction of a Retaining Wall?

Responsibility for retaining different ground levels is generally determined by the extent that the natural ground level has been altered by cutting or filling on either or both properties. Where both property owners alter the levels, they would be jointly responsible. Each landowner has an obligation to retain soil where necessary resulting from earthworks on his/her property. Adjoining owners who have both undertaken earthworks are advised to attempt to negotiate a proportional base agreement when retaining walls are required along common boundary for dividing fencing or landscaping works.

It is not always possible for the Town's Building Surveyor to determine which property has had its natural ground level altered. Site plans of previously approved developments on the affected properties, or a Licenced Land Surveyor may be able to provide clarification on natural ground levels.

The sharing of costs for the retaining is a civil matter that must be negotiated between neighbours. 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.

Where can I position a Retaining Wall or Dividing Fence?

A dividing fence up to 1800mm high should be positioned on the higher side of a retaining wall which abuts a common boundary.

Retaining walls abutting common boundary are to be constructed entirely within one property; they are not permitted to straddle the boundary.

The Town of Victoria Park has Local Laws Relating to Fencing under the Local Government Act 1995. However, please note that dividing fences are a civil matter to be resolved by the aggrieved parties. For information regarding Dividing Fences, please refer to the Dividing Fences Act 1961 on the Building Commission's website <https://www.commerce.wa.gov.au/building-commission/dividing-fences-0>