

Retaining Walls

What is a retaining wall?

A structure installed to support a difference in ground levels. This can be within one property or between two or more properties.

A difference in ground levels may be created by lowering (cutting) or raising (filling) the natural ground level or through a combination of cutting and filling.

Is a permit required for all retaining walls?

A “minor” retaining wall not exceeding 0.5m in height generally does not require a Building Permit. This excludes additions to existing retaining walls (ie increasing retained height).

Should your proposed retaining wall be higher than 0.5m you will need to obtain a Building Permit and in some instances you may also need to obtain a Planning Approval.

Who is responsible for a retaining wall?

The responsibility to retain a difference in ground levels generally lies with the owner of the property that altered the natural ground level. The natural ground level may be altered by cutting or filling on either or both of the properties.

The costs associated with retaining soil are generally shared proportionately by the owners of the affected properties according to the extent that each property’s natural ground level has been altered.

It is not always possible for the City’s Building Services Section 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 further clarification on natural ground levels of properties. If both parties cannot reach an agreement between themselves as to who is responsible for retaining the difference in ground levels, it may be necessary to seek legal advice.

How do I get a building permit for a retaining wall?

To obtain a Building Permit, applicants must either submit to Council’s Building Services Section an “Application for Building Permit – Uncertified” or an “Application for Building Permit – Certified”.. Please refer to the “How Do I get a Building Permit” information brochure for further information on the different types of applications.

Applications should be submitted electronically. On the City of Mandurah website click the “I want to” button, then the “Building Lodgements” link. Alternatively, a hard copy application may be submitted for those without access to electronic documents.

What documents need to be submitted with my Building Application?

Applicants must submit one set of plans will generally include:

- A contour survey plan at a minimum scale of 1:200 clearly showing existing ground levels on the property, verge/street levels, and location of the proposed retaining wall and proposed finished ground levels.
- Construction details of the retaining wall certified by a Professional Engineer.
- If submitting a “certified” application, a copy of the Certificate of Design Compliance issued by your Building Surveying Contractor including all reference documents.

Note: other specific information may be required following assessment of your plans by the Building Surveyor.

What fees need to be paid?

Refer to scheduled fee information sheet for the amount to be paid on submission.

What are the general planning requirements?

The setbacks of retaining walls from property boundaries are determined by

- City’s Town Planning Scheme,
- Residential Design Codes (R-Codes) of Western Australia
- Local Planning Policies
- Detailed Area Plans

You can confirm the zoning of your property on the City’s Online Mapping facility, located under the “Find It” tab on the City’s website.

Retaining walls that propose to increase ground levels by more than 0.5m will generally require a planning approval. This will usually include consultation with any adjoining affected landowners (including where the adjoining land is vacant).

Retaining walls within 6m of a canal wall often do not need planning approval – contact the City’s Building Services for more information.

Important Notes for Excavations:

Where an excavation will be setback a distance less than the depth of the excavation, one of the following will be required to be included with the application:

- A Notice and Request for Consent to Encroach or Adversely Affect (BA20) form. This form is to be completed by the builder and signed by the owners of the adjoining property acknowledging and agreeing to the impact the wall will have on the bearing capacity of their property.

OR

- A professional engineer is to certify and sign in ink that the excavation will have no adverse impact on the adjoining property, as defined by the *Building Act 2011*.

For further information, please contact Building Services on 9550 3777

