

## RETAINING WALLS

### Important Information About Retaining Walls:

- A Building Licence is required for all retaining walls on property boundary's and within 3 metres of a structure (dwelling, shed, swimming pool etc.) regardless of the height of the wall.
- Your neighbour can reasonably expect to construct a dividing fence along the property boundary in natural soil unless an alternative mutual agreement has been entered into.
- Any change of level along a property boundary must be retained by a retaining wall where the soil cannot be maintained on its natural angle of repose (slope of ratio in relation to the type of soil) within the property boundary.
- Any retaining wall exceeding 1 metre in height shall be designed and certified by a Structural Engineer.
- The maximum combined height of a retaining wall and a fence shall be 4.0 metres above ground level with any combination exceeding 3.0 metres in height comprising an "open fence" (wooden picket, wrought iron, etc) upon the retaining wall.
- A Planning Scheme Consent may be required for any change in ground level exceeding 600mm and consent may be withheld until details on the intended site development are submitted and endorsed.
- An application exceeding any of the above will be assessed on its merits by Council staff.

### When Are the Comments From My Neighbours Required?

Comments are required from neighbours who may be affected by the construction of a retaining wall. A retaining wall may be either located on the boundary or close to it. Generally the proponent will contact you, or you may receive a letter from Council requesting comments.

The applicant is required to submit to Council, comments from affected landowners for consideration. A form that the neighbours can complete is attached. You can also refer to the Information Pack – 'Neighbours Rights' for additional information.

### What Information Will Be Provided?

It is required that the applicant shows the affected adjoining landowners the development plans and, if in agreement, the landowner signs the drawings and states that they agree with the proposal.

Where the adjoining landowner does not agree with the proposal then the issue may need to be determined by Council. An adjoining landowner does not have a veto power, however, all reasonable comments will be taken into consideration as part of the approval assessment process.

When considering an application Council Officers will take into account issues such as privacy, overshadowing, visual intrusion, cultural heritage, streetscape, traffic sight lines, natural and artificial drainage and any other matters considered relevant.

## What to Include in the Building Licence Application?

An application for a Building Licence must include:

- A completed Building Licence application envelope; and
- 2 copies of all the following information:

### Site Plan

This is a plan at a scale not less than 1:200 showing the location of the retaining wall, existing and proposed ground levels, and all existing and proposed structures.

The applicant in all cases must highlight the maximum height of the wall and levels to top of wall relative to the contours of the land.

It should be noted that the whole of the wall and/or footings and all drainage must be located within the lot in question.

### Water Corporation Approval Stamped on Site Plan

To ensure that you are not building over existing or proposed underground services you are required to obtain approval from the Water Corporation prior to submitting your application to Council. In some cases, the Water Corporation may recommend alterations to footings or setbacks to accommodate any underground services.

### Structural Details

A fully dimensioned cross sectional detail is to be submitted showing the following:

- Overall height and thickness
- Type of construction and material
- Reinforcement details
- Footing Details
- Drainage behind the wall if applicable
- Manufacturer's specifications
- Waterproofing details

**Note:** Sleeper or timber materials are prohibited on a boundary.

### Structural Engineers Certification (For Walls over 1000mm High)

All retaining walls over 1000mm are to be certified by a practising Structural Engineer.

### Note:

- Two copies of your drawing showing the Structural Engineer's (original) signature on each (not a photocopy) are to be submitted.
- Council reserves the right to require a Structural Engineer's report where deemed necessary as circumstances dictate.

### Adjoining Owners Comment Proforma (Where Applicable)

## What if the Proposed Retaining Wall is Either:

- On the boundary
- Close to the boundary
- Within three metres of a building/structure on adjoining land

## Where a Retaining Wall is to be Constructed:

- on the boundary; and/or

- within three metres of a building or structure on adjoining land and part of the retaining wall is “lower” than the footings of the affected buildings

The person constructing the wall shall be responsible to underpin or otherwise strengthen the foundation of all buildings affected in accordance with a Structural Engineers detail.

This is to be done at the cost of the person undertaking the retaining wall work and these works are to be performed to the complete and reasonable satisfaction of the adjoining landowner.

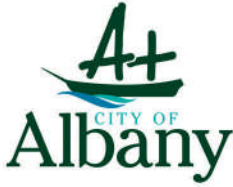
### **More Information.....**

Should you have any questions or require any further information, please contact a member of the Development Services Team by either phoning on 9841 9382, by email [building@albany.wa.gov.au](mailto:building@albany.wa.gov.au) or in person at the City Offices.

### **\*\* DISCLAIMER \*\***

This information sheet is a guide only. Verification with original Local Laws, Acts, Planning Schemes, and other relevant documents is recommended for detailed references. The City of Albany accepts no responsibility for errors or omissions.

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 Synergy Reference No: NIS06606

## ADJOINING OWNERS – COMMENT PROFORMA

**PLEASE BE AWARE THAT YOU ARE UNDER NO OBLIGATION TO  
SIGN THIS PROFORMA.**

**Retaining Walls located along common boundaries may have ramifications for the  
development potential of your property.**

If you have any questions regarding the proposal mentioned below or this proforma please do  
not hesitate to contact Council's Development Team on 9841 9382 or  
via email [building@albany.wa.gov.au](mailto:building@albany.wa.gov.au).

**The proposed retaining wall is located at:**

Loc \_\_\_\_ Lot \_\_\_\_ # \_\_\_\_ Street Name \_\_\_\_\_ Suburb \_\_\_\_\_

**I/We as Neighbour/s (insert your property address below):**

Name(s) of Owner(s): \_\_\_\_\_

Property Address: \_\_\_\_\_

Residential Address (If different to above property address) \_\_\_\_\_

Daytime Telephone Number: \_\_\_\_\_

**have sighted, understood and signed the site plan for the proposed Retaining Wall at the  
above address.**

(Tick appropriate box below)

I have no objection to the proposed Retaining Wall.

OR

I object to the proposed Retaining Wall:

being built on our shared boundary, up to a maximum height of \_\_\_\_\_m.

**Additional Comments**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**NOTE: Attach copy of signed site plan with this comment form.**