

# Development (Planning) & Building – INFORMATION SHEET

## Earthworks and Retaining Walls

### General Information

#### Earthworks

For certain developments that include earthworks on challenging land (steep sites, ground/perched water issues, soil issues), further information including (but not limited to) an engineering certification, soil report, or geotechnical report may be required to ensure design compliance with acceptable construction practices can be met.

#### Unretained bulk earthworks – cut and fill

Further details may be required for earthworks, including, but not limited to: details of unretained cut and fill over 2 meters in height, proximity to existing structures, soil types, and moisture content. These are necessary to meet slope ratios in accordance with the NCC's acceptable construction practice. See NCC Volume 2, Part 3.1.1, Earthworks, for further information at [ncc.abcb.gov.au](http://ncc.abcb.gov.au).

#### Retaining walls

A retaining wall is a structure designed and constructed to support any material, usually soil, where the natural ground level has been altered by cutting (lowering) or filling (raising).

General design requirements:

- Structural engineer's certification is required for retaining walls with cut and fill over 500mm.
- A fence should not be used to retain soil unless it has been specifically designed for that purpose.
- Timber materials are not permitted to be used for retaining on property boundaries or in relation to structures.
- Building proximity to a retaining wall;
  - Building on the low side of the wall requires ensuring that footings are not undermined by the construction.
  - For buildings on the high side of the wall and single story structures, the distance from the wall should generally equal the height of the wall or as to engineers specification.
  - Building or proposed vehicle parking on top of the wall, regardless of wall height, requires structural engineering certification.
- Drainage requirements;
  - For areas with impermeable (poorly draining) soil and sloping sites, the design needs to include considerations for drainage features such as subsoil, weep holes and drainage outlets.
  - Overland stormwater flows need to be able to move around the walls without encroaching on neighbouring land.
- Responsibility for constructing a retaining walls is generally a civil matter, however the following provides some guidance:
  - The party who changes the natural ground level (by cutting or filling) is usually responsible for any retaining wall needed to support that change.
  - If both neighbours have altered the land, responsibility is often shared.

## Development Approval (Planning)

### When is development approval required?

- Earthworks or retaining walls (including subdivision works) in excess of 500mm (cut or fill) requires development approval prior to lodging a building permit. Adjoining landowners comments may be required.
- In addition to the above, development approval may be required for all earthworks or retaining where the site has heritage significance, located within a policy area, a reserve, a Special Control Area and/or located within areas subject to periodic inundation or flooding. Please contact the City of Albany Planning team for advice.

### Further information related to engineering

In certain cases, additional engineering-related details may be necessary at the development approval stage. It's important to note, however, that the information provided at this stage does not need to be certified engineering; instead, it serves as additional documentation to ensure the design's compliance with requirements. The purpose of supplying further information during the development approval stage is to pre-empt potential design issues that could arise at the building stage, thereby avoiding the need for the application to be returned to planning for the approval of amended plans.

- For certain developments that involve earthworks, an engineering certification, soil report, or geotechnical report may be required to ensure compliance with acceptable construction practices.
- For proposed retaining walls for sites with low elevation, coastal proximity, or sloping terrain, where groundwater or perched water could pose problems due to soil conditions or site slope; additional details may be required, including:
  - Subsoil / subsoil drain to support drainage for retaining walls, to be shown on plans.
  - Basic indicative footing details shown on plans (engineering certification not required).

*\*where applicable, detailed stormwater/retaining wall/engineering plans will be required at building permit stage.*

### Development Approval enquiries and lodgement

Further information: City of Albany's Planning and Development [webpage](#).

Enquiries: Development Information Services 6820 3040 or [planning@albany.wa.gov.au](mailto:planning@albany.wa.gov.au)

Lodgement: Please refer to the City of Albany's Development Applications [webpage](#).

## Building permit

### When is building approval required?

- All retaining walls more than 500mm in height require a building permit prior to construction.
- Retaining walls 500mm or less in height may also require a permit where they:
  - encroach beyond the boundary of the works land;
  - adversely affect the adjoining lots by reducing the bearing capacity of the land;
  - might damage or reduce the structural adequacy of a building or structure on the land; or
  - change the natural site drainage in a way that reduces the effectiveness of the drainage of the land or existing or future buildings on the land.
- Where either an encroachment is to occur or a retaining wall will adversely affect the adjoining lot, permission from all of the adjoining land owners is required prior to applying for a building permit from the City.

## When are neighbours comments required?

Should the proposed building work adversely affect adjoining land the applicant may be required to submit the following:

- BA20 Notice for Consent to Encroach or Adversely Affect Form, and/or
- BA20A Notice and Request for Consent (Response Notice): Protection Structures, Party walls, Removal of Fences, Access to Land Form.

These forms and an information guide *Work Affecting Other Land* can be obtained from the Building Commission website – [www.commerce.wa.gov.au](http://www.commerce.wa.gov.au).

## Building requirements to be submitted:

- a. Application for a Building Permit. The application can be “Uncertified” or “Certified”;
- b. A copy of the construction details certified by a Practising Structural Engineer;
- c. BA20 form if applicable;
- d. A site plan at a minimum scale of 1:200 showing the location of the proposed retaining wall(s). The site plan should clearly show a datum point, existing ground levels and proposed ground levels;
- e. Elevation Plan showing the length and height of the proposed retaining wall;
- f. For certain developments a soil report, or geotechnical report may be required to ensure compliance with acceptable construction practices; and
- g. A sub-soil drainage detail.

Retaining walls, including footings and sub-soil drainage, are generally required to be constructed wholly within the subject lot and not encroach beyond the boundary as issues relating to maintenance and ownership may result. However the Building Act 2011 allows some encroachments in some circumstances.

## Building Permit enquiries and lodgement

Further information: City of Albany’s Building and Demolition [webpage](#).

Enquiries: Development Information Services 6820 3041 or [builders@albany.wa.gov.au](mailto:builders@albany.wa.gov.au)

Lodgement: Please refer to the City of Albany’s Building Applications [webpage](#).