

Building Information Sheet - Retaining Wall

What is a retaining wall?

A retaining wall is a wall or structure designed and constructed to support soil and a slope steeper than can naturally be supported. Retaining walls can be constructed using bricks, limestone or concrete blocks, post and panel, timber sleepers or stone pitching.

A retaining wall is classified as a **Class 10b structure**.

Property Owner Disputes

Disputes over ownership and responsibility for retaining walls, particularly on older properties, can be complex due to limited or unclear historical documentation. The following general information may assist in navigating a retaining wall dispute.

Boundary Location

To determine whether a retaining wall is located wholly or partially on your property or an adjoining property, a **licensed land surveyor** may be required to undertake a boundary or site survey. This is the most reliable method of establishing ownership or shared responsibility.

Structural Integrity and Risk

If the retaining wall does not pose an immediate risk of failure, it is recommended to engage a **private structural engineer**. They can assess the condition of the wall and provide a report on its structural integrity. This will assist in determining whether remedial works are required and the urgency of those works.

Legal Responsibility and Proportionate Liability

Responsibility for repair or replacement may not rest solely with the landowner on whose property the wall is located, particularly where the wall retains or benefits adjoining land. In such cases, the **Magistrates Court** may be required to determine proportionate liability, especially where the wall provides greater benefit to one property over another.

Council's Role

The City's role is limited to ensuring compliance with relevant building legislation and assessing formal applications for new or replacement structures. The City does not resolve civil disputes between neighbours regarding ownership or cost responsibility.

Where agreement cannot be reached, legal advice or formal dispute resolution may be required, such as through the **Magistrates Court** or the **Department of Local Government, Industry Safety and Regulation**.

Building Approvals

If repairs or replacement are required, retaining walls over **0.5 m in height**, or those supporting additional loads or structures, may require **planning and/or building approval** from the City.

For further information, contact the City on **9394 5000** or email info@armadale.wa.gov.au.

Do I Need a Building Permit?

Yes. A **Building Permit is required** for retaining walls over **0.5 m in height**.

A retaining wall constructed on a boundary between two or more properties may require a **Building Permit regardless of height**.

A Building Permit must be obtained from the City of Armadale prior to commencing any retaining wall works.

Setback requirements for retaining walls are outlined in the **Residential Design Codes**.

Please note that **Planning approval may be required** before a Building Permit can be issued.

For further information, contact the City on **9394 5000** or email info@armadale.wa.gov.au.

For more detailed information on how to apply, visit:

<https://my.armadale.wa.gov.au/service/apply-for-building-approval>

Do I Need to Be a Registered Builder?

No. A **builder's registration is not required** for the construction of a retaining wall.

What is a Certified Application?

A **certified building permit application** must be accompanied by a **Certificate of Design Compliance (BA3 form)** issued by a **registered independent building surveyor**.

- Can be submitted for **all residential and commercial structure types**
 - Assessment time: **up to 10 business days** (unless further information is required)
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What is an Uncertified Application?

An **uncertified application** is assessed by the **City's registered building surveyor**, who issues the **Certificate of Design Compliance**.

- Only applicable for **Class 1a and Class 10 structures**
 - Assessment time: **up to 25 business days** (unless further information is required)
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How Long is My Permit Valid For?

A Building Permit issued by the City of Armadale is valid for **two years from the date it is granted**.

If additional time is required to complete the building work, an application for an extension of time can be submitted.

To apply for an extension, visit:

<https://my.armadale.wa.gov.au/service/apply-for-building-approval>

What Happens When the Building Work is Complete?

The nominated builder listed on the Building Permit must submit a **Notice of Completion (BA7 Form)** to the City within **seven days** of completing the prescribed building work.

To submit a Notice of Completion, visit:

<https://my.armadale.wa.gov.au/service/apply-for-building-approval>

Important Information

This information sheet is intended as a guide only. The City disclaims any liability for any damage sustained by a person acting on the basis of this information.

For further information contact **Building Services** on **9394 5000**.

Building Application Checklist - Retaining Wall

Application Form - A completed BA1 (certified application) or BA2 (uncertified application) form - Application form to be completed in full and signed by the nominated builder and applicant - Application forms are available from Department of Local Government, Industry Regulation and Safety's (LGIRS) website: https://www.wa.gov.au/organisation/departments-of-local-government-industry-regulation-and-safety	
Certificate of Design Compliance (certified application only) Must be issued by a registered building surveyor practitioner	
Payment of fees - Refer to the City's Building Services Information Sheet - Fees & Charges - Available on the City's website: https://my.armadale.wa.gov.au/service/apply-for-building-approval	
Construction Training Fund (CTF) Levy receipt - Required for building works with a value greater than \$100,000 - If applicable, payment must be made via: https://ctf.wa.gov.au/levy - A copy of the payment receipt must be included with the application	
Site plan to scale (1:200) showing: - Location of the proposed retaining wall - Location of all existing structures on the property - Setbacks and measurements from boundaries to the proposed retaining wall - Location of septic tanks and leach drains (if applicable)	
Construction details to scale (1:100) showing: Cross-section details	
Structural engineer's certification	
Approval from the City's Planning Department (if applicable)	

Minimum Documentation Requirements

Sample plans attached illustrate the minimum level of detail required for an assessment by the City. If you are unable to provide this detail, you will need to engage the services of a reputable draftsman to assist you.

