



RETAINING WALLS

The altering of natural ground levels, whether this entails fill placed on top of natural ground level or an excavation below natural ground level, will often require the construction of retaining walls.

In most cases, excavation and filling of land and the associated retaining walls will need Council approval, as the work is associated with the construction of a building or other structure. Details of proposed earthworks and retaining walls should therefore be detailed as part of a Development Application for the construction of the building.

Do I need Council approval to install a retaining wall?

Retaining walls, including those to enhance landscaped gardens of an existing dwelling, will require Council approval if any of the following circumstances apply:

- The property is a State Heritage place;
- The property is a Local Heritage place;
- The retaining wall retains a difference in ground level exceeding one metre, if not related to or supporting other forms of development;
- The total height of a retaining wall with a fence attached exceeds 2.1 metres (measured to the lowest side).
- The retaining wall supports foundation of other structures (e.g. dwelling), regardless of height.

Who is responsible for a retaining wall?

In most circumstances, a property owner is responsible for retaining any earth that they have altered from the natural ground level. This could be fill placed on top of natural ground level or an excavation below natural ground level.

What will be required?

Retaining walls that require approval need to be engineered structures that consider loads and actions specific to the site, such as soil type, corrosion, spas, tanks, vehicles, attached fences or other structures.

Neighbour disputes?

Council does not have jurisdiction to determine who pays costs associated with fencing and retaining walls. If you and your neighbour cannot come to an agreement with the costs, you should contact one of the following for further advice:

- Legal Services Commission www.lcs.sa.gov.au
Legal Help Line 1300 366 424
- A private lawyer.

Easements and Encumbrances?

The Certificate of Title for a property contains information regarding the location and nature of any easements and the details of any encumbrances that apply to the land.

If your proposed development extends over an easement or is affected by an encumbrance on your property, documentation must be submitted to the Council demonstrating that the authority controlling the easement (SA Water, SA Power Networks, etc), or the person(s) holding the encumbrance have approved the proposed structure, excavation or activity. Remember DIAL-BEFORE-YOU-DIG on 1100 (free call) prior to undertaking any excavation.

Want to know more?

The above information is advisory only and intended as a guide. It is recommended that you seek professional advice or contact the City of Victor Harbor regarding any specific enquiries or for further assistance concerning the use and development of land.

While care has been taken to ensure the accuracy of material contained in this publication, no responsibility will be accepted for any errors or omissions.

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