FACT SHEET – RETAINING WALLS

When is a retaining wall required?

The *Building Act 1975* (s75) requires that if soil conditions, ground levels, excavation or filling make it necessary to protect land, buildings or structures in the neighbourhood, then:

- retaining walls, or other suitable methods must be used to prevent soil movement; and
- drainage of the land, buildings or structure must be provided.

Is drainage required?

Yes - drainage is an integral part of retaining walls. The *Building Act 1975* (s76) requires that where drainage is part of the approval of the work, it must be carried out to protect land, buildings and structures in the neighbourhood. If the work is accepted development (i.e. permit is not required), the work must comply with manufacturer specifications or refer to NMP1.7 of the Queensland Development Code (QDC) for recommended acceptable solutions/performance criteria.

When is a permit NOT required?

Schedule 1 of the *Building Regulation 2006* confirms retaining walls as accepted development if:

- there is no surcharge loading (e.g. driveway) over the zone of influence* for the wall; and
- the total height of the wall and of the fill or cut retained by the wall is no more than 1 metre above the wall's natural ground surface; and
- the wall is no closer than 1.5 m to a building or another retaining wall.

A permit is required if the proposed structure cannot comply with any of the above.

*Please contact Council if you need assistance with determining the zone of influence.

Is planning approval required?

The Maranoa Planning Scheme may require further permits for building work, particularly if your property is located within the Flood Hazard Overlay. If required, this approval must be obtained before a building permit can be issued. A Town Planner can assist in determining your planning scheme requirements.

Excavation/filling on site

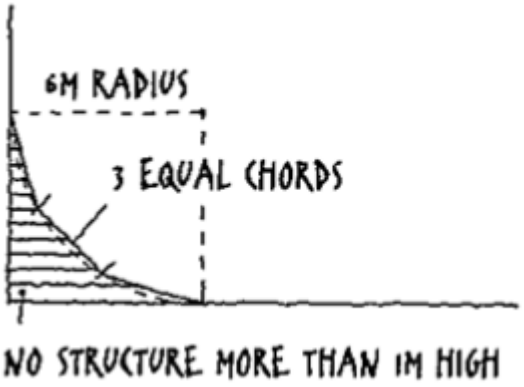
Generally, cut and fill related to building work less than 1 m in depth remains accepted development; however, the soil type and fill gradient are factors that may trigger assessable building work.

Schedule 1 of the *Building Regulation 2006* outlines these requirements further.

Siting requirements

The whole of the retaining wall, including sub-drainage, spoon drainage on the top/at the base of the wall, footings, etc., must be wholly within the boundary of a property. The owner of the property on which the wall is located is responsible for the maintenance of the structure.

If the retaining wall is situated on a corner allotment, the wall and other structures must not exceed 1 m in height within the 6 m x 6 m truncation (refer to sketch below).



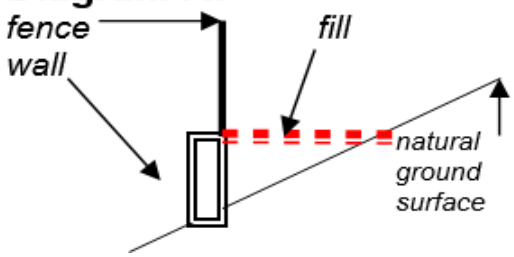
Do I require a Permit?

Below is a general guide to some of the scenarios that may require a referral agency application, building or planning permit:

	Building Permit Required	Planning Permit Required (See the Duty Planner)
Retaining wall less than 1 metre high	• If within 1.5 m of a building or another retaining wall. • If there is surcharge loading (driveway, footings, structures, etc.) over the zone of influence.*	If located within the Flood Hazard Overlay
Retaining wall over 1 metre	• Yes – always, and • If located within the 6m x 6m truncation of a corner, a Referral Agency Application (QDC) is also required.	
Retaining wall or fence on top of a retaining wall	• If the total height exceeds 2 metres above the natural ground surface**, then a Referral Agency Application (QDC) is also required	

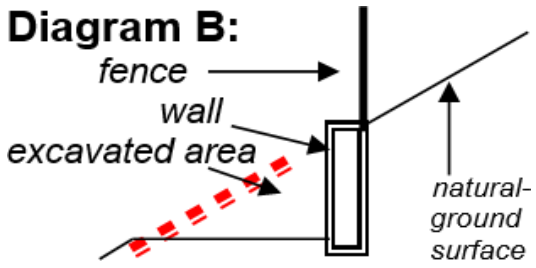
**Includes the total height of the wall and fence where constructed on top of the natural ground level only – see Diagrams A and B.

Diagram A:



- the wall is constructed ON the natural ground surface
- the wall is to retain fill placed behind the wall
- the fence is to be constructed on top of the wall

Diagram B:



- the natural ground surface is excavated
- the wall is restraining the excavated area
- the fence is to be built on top of the wall
- the fence is constructed on the natural ground surface level