

# Retaining Walls

On sloping sites, it is common to alter the natural levels by cut and fill to create a level building platform or for landscaping. Retaining walls can be made from various materials – timber, rock linking concrete blocks, etc, and many require a building approval, certified structural engineer design and in some cases a planning approval.

## Building application

A building application needs to be lodged and an approval obtained for all retaining walls, unless the retaining wall meets the requirements of 'accepted development'. Assessment of a building application for retaining wall may include siting restrictions, height limitations, construction details and materials, drainage, and the application is to be supported by a design certified by a Registered Professional Engineer of Queensland (RPEQ). Additional approval may also be required if the retaining wall is in proximity to water, sewer, electricity etc.

- If a retaining wall is 'Accepted Development' it may be able to be constructed without the need to lodge a building application, as long as it meets the following criteria:
- the wall complies with all relevant council siting and planning requirements;
- there is no surcharge loading over the "zone of influence" for the wall (defined in the Building Regulation 2021 – Schedule 1, section 3);



- the total height of the wall, and of the cut or fill retained by the wall, is no more than 1 metre above the wall's finished ground level;
- the wall is no closer than 1.5 metres to a building or another retaining wall;
- the wall is structurally adequate and compliant with the National Construction Code - Building Code of Australia;
- all other relevant approvals are obtained to construct the wall over any infrastructure such as sewer pipes, stormwater mains, easements; and
- the wall is not part of the fencing for a regulated swimming pool.

[Click here to apply for a building permit.](#)

## Additional permit necessary

A separate Concurrence Agency Referral application is necessary in the following circumstances, to approve the siting only of the proposed retaining wall if the retaining wall or combined fence and retaining wall is more than two metres above natural ground level. The requirements of the Queensland Building Code apply in these circumstances.

Please note that an approval is not automatic and each case is assessed individually. You are advised to check with council prior to commencing earthworks or construction.

[Click here for a Concurrence Agency Referral application.](#)

## Retaining wall on a shared boundary

Retaining walls constructed on or near common boundaries are often the cause of disputes between neighbours, particularly when the wall requires repair or replacement in the future. To avoid such disputes, it is always best practice to construct retaining walls (and their associated footings, drainage and backfill) entirely within your property. This also allows for the construction of dividing fences along the boundary that do not place a surcharge loading on the wall and therefore do not rely on the wall for structural adequacy.

Typically, the property owner who creates the requirement for a retaining wall (e.g. due to cutting or filling for building works) is responsible for the cost of constructing and maintaining the wall. Some retaining walls may benefit multiple properties so the costs to construct and maintain these walls can be shared according to the proportion of benefit each property receives.

- If you intend to build a retaining wall close to a common boundary with another property, it is recommended you come to an agreement with your neighbour regarding the proposed location and type of retaining wall before progressing with the final design and application process. This will help to avoid disputes during construction and the ongoing life of the wall.

- The sharing of costs for repairing and/or maintaining a retaining wall along, or close to the common boundary, is a civil matter that must be negotiated between neighbours. Council is not able to provide any advice or take action on these matters.
- Retaining wall disputes between neighbours can be legally complex, costly and time consuming. It is always best to speak with your neighbour to resolve retaining wall issues as this may help prevent legal disputes.
- Council will generally only become involved in issues associated with existing retaining walls where:
  - there is a danger of the retaining wall collapsing and causing injury to people or damage to property
  - where a wall was built without the required approvals, or
  - where the wall is trespassing onto council land.

## More information

This information is a guide only and is not intended as a substitute for consulting the relevant legislation or for obtaining professional advice.

Further information can be obtained from:

Queensland Development Code:

<http://www.hpw.qld.gov.au/construction/BuildingPlumbing/Building/BuildingLawsCodes/QueenslandDevelopmentCode/Pages/QueenslandDevelopmentCodeCurrentParts.aspx>

National Construction Code (Building Code of Australia):

<https://www.abcb.gov.au/ncc-online/NCC>

Queensland Civil and Administrative Tribunal (dividing fence disputes):

<https://www.qcat.qld.gov.au/resources/faqs/faq-dividing-fence-disputes>

Alternatively, contact your local builder, building certifier or civil/structural engineer.