



## Retaining walls

Different exemptions apply depending on the type of retaining wall you are building.

### Retaining wall above ground level

This is a 'fill' retaining wall where the purpose is to retain top soil placed upon the ground above natural ground level.

### Retaining wall below ground level

This is a 'cut-in' retaining wall where the purpose is to retain an embankment cut below natural ground level.

Your wall is considered to be below natural ground level if it is a combination of partly above and partly below ground level.

### Retaining wall above ground level

Exemptions from development and building approval may apply to certain retaining walls above ground level, provided they comply with relevant provisions of regulations.

### Exemptions from development approval

The development does not need development approval if it complies with relevant provisions of the Planning and Development Regulation 2008, Schedule 1. The following is a summary of the provisions and is correct as of the date the web page was last updated - scroll to the bottom of the web page to find this. However, the regulation's schedule have been updated since then. In summary, the development is exempt provided:

- it only retains earth above natural ground level
- no part is between a front boundary and a building line for the block
- for any part within 1.5m of a side boundary or rear boundary of the block, it is not more than 0.4m above natural ground level on the lowest side of the wall
- for any other part, it is not more than 1m above natural ground level on the lowest side of the wall
- if any part is within 1.5m of a side boundary or rear boundary of the block it is the only class 10 building or structure (other than a boundary fence) that has any part of it that is within 1.5m of the boundary or the 2nd exempt building or structure within boundary clearance area exemption applies
- complies with relevant general exemption criteria.

### Exemptions from building approval

The development does not need building approval if it complies with relevant provisions of the Building (General) Regulation 2008, Schedule 1. The following is a summary of the provisions and is correct as of the date the web page was last updated - scroll to the bottom of the web page to find this. However the regulation's schedule may have been updated since then. In summary, the development is exempt provided it:

- is not more than 1.2m high when measured from any point at top of retaining wall to lowest adjacent ground level
- is up to 1.5m high when measured from any point at top of retaining wall to lowest adjacent ground level, if it complies with the exempt building code
- will not affect the structural integrity of any part of a building for which a Certificate of Occupancy or other certificate under the Building Act 2004, part 5, has been issued
- will not affect a fire-rated wall, ceiling or floor
- will not affect a ventilation or air-handling system, fire protection system or other mechanical service
- will not affect a fire escape, emergency lift, stairway, exit or passage to an exit
- will not affect the natural light or ventilation available to a building which a certificate under the Act, part 5 has been issued
- will not affect the building in a way that reduces its compliance with the Building Code to a level that is less than the minimum requirements of the code
- does not involve handling asbestos or disturbing friable asbestos (other than minor maintenance work, i.e. low speed or hand-drilling, sealing, painting, coating if done personally by the owner or occupier of the premises).

### Retaining wall below ground level

Exemptions from development and building approval may apply to certain retaining walls below ground level, provided they comply with relevant provisions of regulations.



## Exemptions from development approval

The development does not need development approval if it complies with relevant provisions of the Planning and Development Regulation 2008, Schedule 1.

The following is a summary of the provisions and is correct as of the date the web page was last updated - scroll to the bottom of the web page to find this. However the regulation's schedule may have been updated since then. In summary, the development is exempt provided that:

- it does not only retain earth above natural ground level
- no part is between a front boundary and a building line for the block
- for any part within 1.5m of a side boundary or rear boundary of the block, it is not more than 0.4m above natural ground level on the lowest side of the wall
- any other part is not more than 1.2m above natural ground level on the lowest side of the wall
- if any part is within 1.5m of a side boundary or rear boundary of the block it is the only class 10 building or structure (other than a boundary fence) that has any part of it that is within 1.5m of the boundary or the 2nd exempt building or structure within boundary clearance area exemption applies
- complies with relevant general exemption criteria.

## Exemptions from building approval

The development does not need building approval if it complies with relevant provisions of the Building (General) Regulation 2008, Schedule 1. The following is a summary of the provisions and is correct as of the date the web page was last updated - scroll to the bottom of the web page to find this. However, the Regulation's Schedule may have been updated since then. In summary, the development is exempt provided it:

- is not more than 1.2m high when measured from any point at the top of retaining wall to lowest adjacent ground level
- is up to 1.5m high when measured from any point at top of retaining wall to lowest adjacent ground level, and if it complies with the exempt building code
- it complies with Building Code of Australia
- it is constructed in a proper and skilful way as described in the Building Act 2004 and Building (General) Regulation 2008.
- will not affect the structural integrity of any part of a building for which a Certificate of Occupancy or other certificate under the Building Act 2004, part 5, has been issued

- will not affect a fire-rated wall, ceiling or floor
- will not affect a ventilation or air-handling system, fire protection system or other mechanical service
- will not affect a fire escape, emergency lift, stairway, exit or passage to an exit
- will not affect the natural light or ventilation available to a building which a certificate under the Act, part 5 has been issued
- will not affect the building in a way that reduces its compliance with the Building Code to a level that is less than the minimum requirements of the Code
- does not involve handling asbestos or disturbing friable asbestos (other than minor maintenance work, i.e. low speed or hand-drilling, sealing, painting, coating if done personally by the owner or occupier of the premises).

No building approval, licence, notice, certifier, plans, inspections, certificates, design or construction standards are required under the Building Act 2004, except if more than 1.2m high, when design and construction standards do apply.

## Information in this fact sheet was accurate at the time of publication.

*Please note: The new Environment and Sustainable Development Directorate (ESDD) unites ACTPLA (ACT Planning and Land Authority) with environmental policy and protection, sustainability policy, the Government architect, heritage, transport planning and nature conservation.*

*The planning development provisions are taken from the Planning and Development Regulation 2008 and the Building (General) Regulation 2008. ESDD recommends you read these documents which are accessible on our website and understand that planning exemption does not affect the operation of other territory laws.*

It is advisable to discuss any inquiry with the ESDD Customer Service Centre on 6207 1923 as requirements may have changed.

Website: [www.actpla.act.gov.au](http://www.actpla.act.gov.au)

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