Development Act 1993, section 61(1)(e)
Easements of support for party walls

Section 61(1)(e) of the Development Act 1993 requires the building owner and the adjoining owner to create easements of support in respect of a party wall over their respective land and cause the easements to be registered under the Real Property Act 1986 or lodged under the Registration of Deeds Act 1935 (as the case may require).

The Registrar-General has expressed concern regarding instances where party walls are constructed, without easements of support being created or registered. The Registrar-General has requested that this matter be brought to the attention of approving authorities and developers.

Councils may assist by reminding building owners of the party wall requirement at the time development approvals are issued.

Builders and owners should ensure that the necessary documentation is prepared and lodged with the Registrar-General.

Further information

Department for Transport, Urban Planning and the Arts
Planning SA
136 North Terrace
GPO Box 1815 Adelaide SA 5001
Telephone: 8303 0600

Contact:
Noel Mensforth, Senior Project Officer
Building Standards and Policy Branch
Planning SA
Level 3, 136 North Terrace Adelaide 5001
Telephone: 8303 0803
ISSN: 1443-8038