



# **ADVISORY NOTICE BUILDING**

**08/02**

*Advisory Notices are issued to assist in the interpretation of the Development Act 1993*

*April 2002*

## 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**

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[www.planning.sa.gov.au/building\\_advisory\\_notices/](http://www.planning.sa.gov.au/building_advisory_notices/)

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