

Purpose Of This Information Sheet

To provide general information on frequently-asked questions about fences, excluding fences surrounding a swimming pool (refer to general information sheet on swimming pools)

Relevant Legislation / Other Information

Council Policy POL.F4.15 Council website www.rockhamptonregion.qld.gov.au – see under ‘D’ column under policies

Neighbourhood Disputes (Dividing Fences and Tress) ACT 2011: State Government website
www.qld.gov.au

Building Regulations Schedule 1, s1 www.dip.qld.gov.au - refer to Building and Plumbing - Laws
Queensland Development Code www.dip.qld.gov.au – refer to Building and Plumbing - Laws

Other Information Available from Council:

Information Sheet 1 ‘General – Building Development Applications’ on this matter.

Information Sheet 3 ‘General – Siting Requirements’

General Information

a) Building a Fence Between Neighbours (Rights, Procedure, Disagreements, etc)

- This matter is under the jurisdiction of the Dividing Fences Act. Refer to Relevant Legislation section above for website details Enquiries may be directed to your local Magistrates Office.

b) Building a Fence on a Boundary Adjoining Land Owned by Government Authorities

- The local, State and Commonwealth Governments are not bound by the Dividing Fences Act, however, the Rockhampton Regional Council Policy POL..F4.15 provides for a contribution towards a dividing fence in limited circumstances. Refer to Council’s website to view the policy.

c) Fence Heights - Overview (refer to the diagram on reverse side)

- Between adjoining properties – maximum 2 metres high
- On the boundary fronting a roadway which is not on a corner boundary–max 2 metres high
- On the corner boundary facing into the road junction and where the corner **is not truncated**
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- On the truncated (curved) corner boundary facing into the road junction the fence height may be a maximum of 2m high along the truncated section
- Where a fence is constructed on a retaining wall.:
 - If the wall is constructed ON the natural ground surface and the structure is not located within the 6m truncation zone then the height of the combined structure is not to exceed 2 metres.
 - If the wall is retaining natural ground so the fence will be constructed ON the natural ground, then the height requirements as per i) to iv) above are applicable.

d) What if the Fence Height Does Not Comply with the Codes/Regulations?

A permit for relaxation of the regulations (concurrency application) is required to be obtained from the local authority. If approval is granted then a development permit is to be obtained before building work can commence.

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e) Types of Construction of a Fence

Barbed	<ul style="list-style-type: none"> ▪ This matter is referred to within Schedule 4, Prescribed requirements for community safety hazards within the Subordinate Local Law No. 3 (Community and Environmental Management) 2011 as follows: ▪ Fencing is not to be installed along a boundary adjoining a public park; ▪ Barbed wire to be used in urban areas only in a security fence within the barbed wire to be more than two metres off the ground...
Electric	<ul style="list-style-type: none"> ▪ This matter is referred to within Schedule 4, Prescribed requirements for community safety hazards within the Subordinate Local Law No. 3 (Community and Environmental Management) 2011 as follows: ▪ Fencing installed in an urban area that adjoins any road or public land to have warning signs of a size that can be read from a distance of five metres and fixed at five metre intervals along the fence. ▪ Fencing installed in an urban area must be situated at least 1500mm from the fence located on or within the boundary of the premises OR such that if the fencing is installed on the boundary of the premises the lowest point of the fencing capable of imparting an electric shock when touched is at least 2000mm in height; ▪ Fencing must be installed, operated and maintained in accordance with AS/NZS 3014:2003; ▪ Fencing for security must be installed, operated and maintained in accordance with AS/NZS 3016:2002.
Block/ Brick	<ul style="list-style-type: none"> ▪ If the fence height complies with Schedule 1 of the Building Regulations 2006 and the Queensland Development Code MP1.1 or MP1.2, then no permit is required for construction of these types of fences. ▪ Due to the cyclonic zone of the Council Region, construction must comply with the manufacturer's specification. Any variation to the specifications should be referred to a structural engineer.
Standard Fencing	<ul style="list-style-type: none"> ▪ Is the common type of fencing constructed in the area (timber, corrugated metal sheeting). Owners should be aware of the cyclone wind rating of their property and construct the fence accordingly.

* Urban area: defined as property serviced by either a town water supply or town sewer system. Rural area: not-serviced.

To Lodge An Application

The application may be lodged at any of the three offices of the Rockhampton Regional Council (located in Rockhampton, Gracemere and Mount Morgan).

Documentation Required To Lodge a Building Application for Fence

<p>General</p> <p>1.1 Sustainable Planning Act 2009 Application Form 1 and 2 (see website www.dip.qld.gov.au . Click 'development applications' under Planning and Development)</p> <p>1.2 If registered builder is nominated and cost of work exceeds \$3,300, then a receipt for Qld Building Construction Commission insurance levy.</p> <p>or</p> <p>1.3 If an Owner Builder project, then a copy of the Owner Builder Number advice provided by the Qld Building Construction Commission.</p> <p>1.4 If the value of the work is more than \$80,000, then payment of a Portable Long Service Leave (PLSL) is required to be paid at the post office and copy of receipt provided with the application.</p> <p>Floor Plans (min scale 1:100 – 3 sets)</p> <p>2.1 Elevation and section plans – full dimensions</p> <p>2.2 Design details (either engineer specifications and/or manufacturer's specifications)</p>	<p>2.3 Height of structure above adjacent finished ground level</p> <p>2.4 Wind category design details/certification.</p> <p>Site Plan (min scale 1:100 – 3 sets)</p> <p>3.1 Full outline of property and dimensions</p> <p>3.2 Location of ALL existing buildings and clearly identify the new building structure</p> <p>3.3 North point</p> <p>3.4 Road frontages to be identified</p> <p>3.5 Easements/covenant areas on the site</p> <p>3.6 Distance of all buildings from the boundaries</p> <p>3.7 Location of sewer</p> <p>3.8 Details of any site works that must be carried out as part of or for the development.</p> <p>3.9 Contours of the site after cut/fill</p> <p>Other Documentation</p> <p>4.1 Engineer drawings/ specifications/ design certification (must use Sustainable Planning Act 2009 - Form 15).</p>
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