

FENCES

The purpose of this information sheet is to provide general information about fences, excluding fences surrounding a regulated swimming pool (refer to our fact sheet on Swimming Pools).

All building work requires a building permit unless it is exempt under the *Building Regulations 2006* Schedules 1 and 2.

The fencing between adjoining properties provides the demarcation and separation of the properties. A common boundary fence is in joint ownership of the abutting property owners.

The cost of constructing and maintaining appropriate fencing is the responsibility of the owners of the properties.

Owners usually share the cost of a standard fence. The [Neighbourhood Disputes \(Dividing Fences and Trees\) Act](#) sets out that neighbouring property owners must contribute equally to the costs of building and maintaining a dividing fence, unless otherwise arranged.

Where a fence is located inside the common boundary on one property it is the property owners responsibility.

Building a fence between neighbours (Rights, Procedure, Disagreements, etc)

This matter is under the jurisdiction of the [Neighbourhood Disputes \(Dividing Fences and Trees\) Act](#). Neighbours should discuss the fence, how it will be built, and estimated costs for each party, and arrange an agreement.

Disputes regarding dividing fences should be solved directly between neighbours. Where this is not possible you may wish to seek legal advice or mediation through dispute resolution.

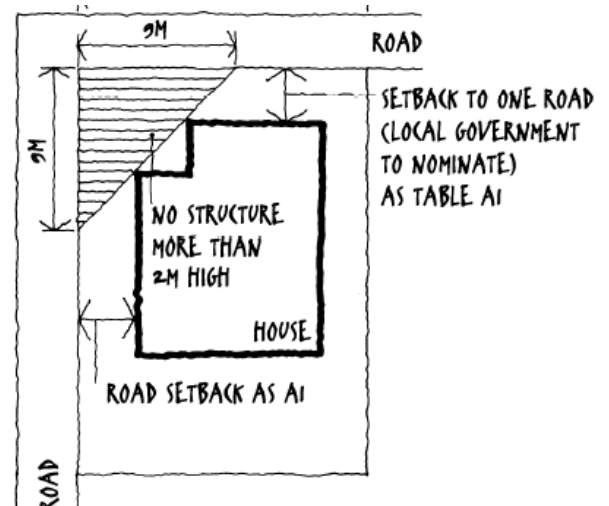
Building a fence on a boundary adjoining land owned by Government Authorities

The local, State and Commonwealth Governments are not bound by the [Neighbourhood Disputes \(Dividing Fences and Trees\) Act](#), however, the Rockhampton Regional Council provides a policy for contributions towards a dividing fence in limited circumstances.

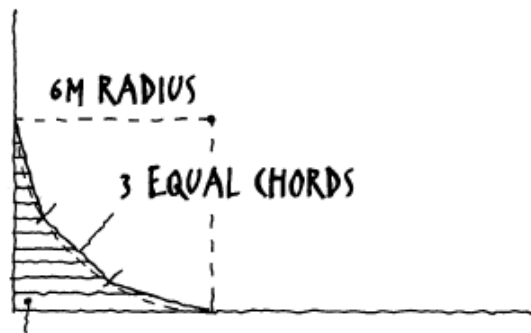
Refer to Council's website to view the [Dividing Fence Contributions Adjoining Council Owned Land Policy](#).

Fence heights overview

- The maximum acceptable height is 2 metres for dividing fences and fences located on the road boundary.
- Corner lots:
 - On the 9 metre truncated corner boundary facing into the road junction the fence height may be a maximum of 2m high along the truncated section only (see diagram below)



- On the 6m radius curve of the corner, the fence must not be more than 1m in height.



NO STRUCTURE MORE THAN 1M HIGH

- Where a fence is constructed on a retaining wall:
 - A fence, screen or retaining wall or the combination of these is not to be more than 2m in height from natural ground height.

What if the fence height does not comply with the Queensland Development Code?

If a fence is outside of the acceptable solutions of the applicable [Queensland Development Code](#), then a request for a relaxation (referral agency response) is required to be obtained from the local authority. In addition to the referral agency application, a building permit is also required for the construction of the fence.

The referral agency response must be provided to the assessment manager for the fence building approval.

Lodging an Application

To lodge your application with Council for a fence, the following documentation will be required:

- DA Form 2
- Site Plan (fully dimensioned)
- Elevation and Section Plans (fully dimensioned)
- QBCC Home Warranty Insurance (if builder is a registered builder and project value is greater than \$3,300)
- PLSL Receipt (if project value is greater than \$150,000)

- Owner Builder Permit (if owner builder project is greater than \$11,000)
- Wind Category Design Certification (only if requested)
- Engineer drawings/specifications/design certification (timber schedule, connection fixing details etc). If connected to a building, then connection details will also be required.

For further information regarding QBCC Home Warranty Insurance or Owner Building, please visit www.qbcc.qld.gov.au.

Where to Lodge Your Application

Email: developmentadvice@rrc.qld.gov.au

Post: PO Box 1860, Rockhampton QLD 4700

Online: [eServices - Applications](#)

Visit: Development Advice Centre (DAC) or a Council Customer Service Centre.

DAC – Level 2, Walter Reid Cultural Centre, Corner Derby and East Sts, Rockhampton City

Customer Service Centres:

- Rockhampton Office - City Hall, 232 Bolsover Street, Rockhampton City
- Gracemere Office - 1 Ranger Street, Gracemere
- Mount Morgan Office - 32 Hall Street, Mount Morgan

Related Websites

Neighbourhood Disputes (Dividing Fences and Trees) Act

www.legislation.qld.gov.au

Building Act 1975

www.legislation.qld.gov.au

Building and Concurrence Application Forms
<https://www.rockhamptonregion.qld.gov.au/Development-Advice/Forms-and-Fact-Sheets/Forms>

Queensland Development Code

QDC – Current Parts

www.hpw.qld.gov.au

Building Regulation 2006

www.legislation.qld.gov.au

Queensland Building and Construction Commission (QBCC)

www.qbcc.qld.gov.au



Types of Construction of a Fence

<p>Barbed</p>	<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 with the barbed wire to be more than two metres higher than ground level.
<p>Electric</p>	<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 1.5 metres 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 2 metres 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.
<p>Block/Brick</p>	<ul style="list-style-type: none"> ▪ If the fence height complies with Schedule 1 of the <i>Building Regulation 2006</i> 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 Rockhampton Region, construction must comply with the manufacturer's specification. Any variation to the specifications should be referred to a structural engineer.
<p>Standard Fencing</p>	<ul style="list-style-type: none"> ▪ Is the fence a 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.**

