

FACT SHEET: Fences

This fences fact sheet includes general information about fences but excludes fences surrounding a regulated swimming pool (refer to our fact sheet on [Swimming Pools](#)).

In limited circumstances, you can complete building work without a building approval. This is called 'accepted development' and is contained in Schedule 2 of the [Building Regulation 2021](#).

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

Building a fence between neighbours

The cost of constructing and maintaining appropriate fencing is the responsibility of the owners of those properties. Owners usually share the cost of a standard fence. The [Neighbourhood Disputes \(Dividing Fences and Trees\) Act 2011](#) sets out that neighbouring property owners must contribute equally to the costs of building and maintaining a dividing fence, unless otherwise arranged. However, where a fence is located inside the common boundary on one property it is the property owner's responsibility.

Neighbours should discuss the fence, how it will be built, the 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.

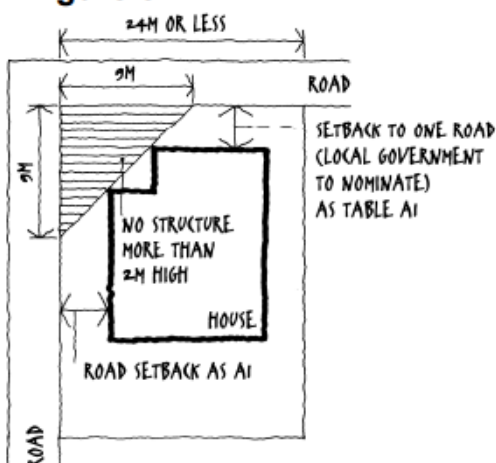
Building a fence on a boundary adjoining land owned by Government Authorities

The local, State and Commonwealth Governments are not bound by the [Neighbourhood Disputes \(Dividing Fences and Trees\) Act 2011](#), however, Western Downs Regional Council has a [Contribution to Dividing Fences Policy](#) which provides clarification for contributions towards a dividing fence in limited circumstances.

Fence heights

- The maximum acceptable height is 2 metres for dividing fences and fences located on the road boundary
- Corner lots:
 - On the 9 metre by 9 metre truncated corner, boundary fencing into the road junction, the fence height may be a maximum of 2m high along the truncated section only (see diagram below) from the [QDC MP1.2 Design and Siting Standard for single detached housing - on lots 450m² and over](#).

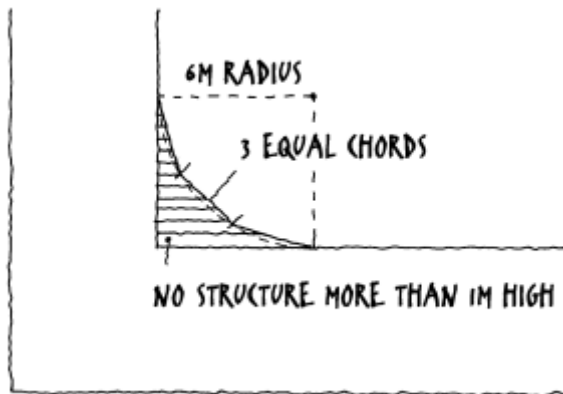
Figure 3



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- On the 6 metre radius curve of the corner, the fence must not be more than 1 metre in height (see diagram below) from the [QDC MP1.2 Design and Siting Standard for single detached housing - on lots 450m² and over](#).

Figure 6



- 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 Council. In addition to the Referral Agency (planning) Response, if granted, a building development application is also required for the construction of the fence.

Building Application Documentation

The following documentation is required for **all** building applications submitted to Council:

Document	Notes
DA Form 2: Building work details	<ul style="list-style-type: none"> ● Use the current version ● Print all pages with the headings (if submitting a paper application) ● Answer all mandatory questions ● Mark the applicant declaration boxes ● Include the correct address, lot and plan details ● Provide the builder details ● Include the correct value of building work
QBCC Home Warranty Insurance Certificate, if applicable	<ul style="list-style-type: none"> ● Required if the builder is a registered builder and the value of work is greater than \$3,300 including GST
QLeave Portable Long Service Levy Certificate	<ul style="list-style-type: none"> ● A builder is required to notify QLeave for building work that is greater than \$150,000 excluding GST ● If the work is covered by an Owner Builder Permit issued by the Queensland Building and Construction Commission (QBCC), QLeave must still be notified of the work but not payment is required with the form if a valid Owner Builder Permit Number is provided

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Document	Notes
QBCC Owner Builder Permit (if applicable)	<ul style="list-style-type: none">If the building project is greater than \$11,000 including GST, an owner builder permit is required. Owner builders are required to complete a training course then apply to the QBCC for an owner builder permit
Site Plan	<p>Include:</p> <ul style="list-style-type: none">Site addressProposed development location and dimensionsExisting structures (e.g. house, shed etc)Distances to boundaries and other structures on siteAllotment boundariesAny road frontages to the relevant land and their street names
Excavation & Earthworks (if applicable)	<ul style="list-style-type: none">Contour plan indicating relative levels of the site, floor level of the dwelling, any excavation works and retaining walls
Soil Classification Report	<ul style="list-style-type: none">Soil classification report <u>or</u>Engineer design for extremely reactive/problem sites for Class 10
Form 15 Design Certification from an RPEQ Engineer, if requested	<ul style="list-style-type: none">Engineer drawings and specifications including footing/slab, wind category, calculations, tie down, and bracing.Form 15 Design Certificate

Where to lodge an application with Council

To lodge a building application with Council, documentation must be provided with the application and full payment made for all [fees and charges](#) at the time of submitting your application for it to be assessed.

It can be lodged via:

Email - bpadmin@wdrc.qld.gov.au

Visit - Any Council Customer Service Centre