

# Dividing fences

## DO YOU NEED BUILDING APPROVAL TO INSTALL OR REPLACE A FENCE?

Generally, building approvals are not needed for a front, side or rear boundary fence if the fence meets all of the following conditions:

- » it is associated with an existing house (or other residential use)
- » it is less than two metres high
- » it is not part of a swimming pool fence (swimming pool fences have their own requirements)
- » it is not part of a retaining wall
- » it would not restrict/concentrate water run-off from adjoining properties.

If your proposed fence does not meet one or more of these basic conditions, you may need to lodge a building application. Contact your private building certifier for further advice. Building certifiers can be found in the yellow pages under “B” for Building Certifiers or Building Surveyors. A building surveyor can help you determine whether there are any possible water run-off impacts.

## DOES COUNCIL HELP WITH FENCING DISPUTES?

No, council does not help with fencing disputes. The *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011* provides rules about each neighbour’s responsibility for dividing fences and how to resolve any disputes about dividing fences that do arise between neighbours.

The Queensland government provides more information on their website about dividing fences, including what might be a minimum fence standard, who owns the fence and who pays for it, what to do if there is a dispute, and what rules apply if a fence gets damaged.

For more information on dividing fences, please visit: <https://www.qld.gov.au/law/housing-and-neighbours/disputes-about-fences-trees-and-buildings/resolving-tree-and-fence-disputes/>.

## SWIMMING POOL FENCES

Rules for swimming pool fences are found in the Queensland Development Code, Mandatory Part 3.4. The pool safety register and other pool safety information can be found on the Queensland Building and Construction Commission and Department of Housing and Public Works websites.

Pool safety certificates must be obtained from a licensed pool safety inspector. Council does not employ licensed pool safety inspectors. However, council does have a compliance role with regards to non-compliant pool fences. If you have concerns about a pool fence, contact the Customer Service Centre on 1300 878 001.