



FACT SHEET - BACK YARD FENCES IN RESIDENTIAL ZONES

General Requirements

For residential-allied development such as the erection of back yard fences, the NSW Planning system adopts three primary approval paths subject to certain pre-determined criteria being met, as follows:

Exempt Development: where no approvals are required by Council;

Complying Development: essentially a 'fast track' system for low impact, small scale types of development. Approval can generally be provided in 7-10 days by Council or an accredited private building certifier;

Local Development: applies to developments that don't fit into the above two categories which require a more detailed assessment, and on some occasions, notification to neighbours.

How do I know which approval path applies to my development?

Council has developed a series of Fact Sheets to assist you in determining what approval path applies to your development. Establishing which particular category of approval depends largely on the requirements of the overarching legislation (which applies state wide) known as State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the 'Codes SEPP'). Under the Codes SEPP, a range of site specific issues require consideration including, but not limited to:

- The zoning of the land;
- The size of the property;
- Distances to boundaries;
- Whether the land is flood prone, bush fire prone, or has a heritage item on it;
- Any easements located on the land; and,
- The existing siting, size and coverage of existing structures on the land.

How do I find out more about these issues?

Much of the required information is contained in a section 10.7(2) Planning Certificate—application forms are available from Council's website www.lachlan.nsw.gov.au. Alternately, you can make an appointment with one of Council's qualified and experienced staff members to discuss your project, or, an accredited private certifier.

Important: it is essential that prior to making an appointment with Council staff, you conduct some research on your project in addition to completing the self-assessment checklist located overleaf.

Disclaimer: This Fact Sheet provides a summary of the major issues concerning fences in residential areas. Any person using this Fact Sheet must do so on the basis that not every scenario and issue can be addressed. Discussion with Council's staff is, therefore, encouraged. This document is subject to change without notice.





Exempt	Yes	No	Complying	Yes	No
Please use this checklist for fences to be located BEHIND THE BUILDING LINE. ie, fences which will be built in your 'back yard'. If you answer no to any question, a Development Application will be required.					
Will the fence be built on land in an RU5, R1, R2, R3 or an R4 Residential zone?			See separate fact sheet on rural fences if your land is not in a residential zone		
The fence will not be built on, or adjacent to, a heritage item?			Contact Council or an accredited private certifier for further information on heritage		
The fence will be built on land that is not flood affected?			Contact Council or an accredited private certifier for further information on building fences on flood affected lots		
Will the fence be built from timber, metal or other lightweight materials?			Will the fence be built from timber, metal or other lightweight materials?		
Will the fence be 1.8m, or less, in height? (Note: measure from existing ground level)			Will the fence be 1.8m, or less, in height? (Note: measure from ground level)		
If to be built on a sloping block and stepped to the fall, the fence will not be more than 2.2m above existing ground level at each step?			If to be built on a sloping block and stepped to the fall, the fence will not be more than 2.2m above existing ground level at each step?		
If to be built on bushfire prone land, the fence will be built of non-combustible materials or hardwood?			If to be built on bushfire prone land, the fence will be built of non-combustible materials or hardwood?		
If it is built from metal, will it be low reflective or factory pre-coloured (eg 'Colorbond')?			If it is built from metal, will it be low reflective or factory pre-coloured (eg 'Colorbond')?		
The fence will not redirect the flow of surface water onto a neighbouring property?			The fence will not redirect the flow of surface water onto a neighbouring property?		
The fence is not an electric fence or does not use barbed wire?			The fence is not an electric fence, or does not, use barbed wire?		
If the fence is built of masonry materials or chain wire, and for residential purposes, be no more than 1.2m high?			Contact Council or an accredited private certifier for further information if your masonry fence is >1.2m high		
If the fence is to be built on a secondary road frontage, will it be constructed in such a manner that it does not extend past the building line to the main road frontage?			See separate LSC Fact Sheet on 'Front Yard Fences' (for fences to be built forward of the building line)		

The Code SEPP is under continuous review and the most current version of the SEPP takes precedence over the fact sheets should any discrepancies be identified.

