



FACT SHEET – FRONT YARD FENCES

General Requirements

For residential-allied development such as the erection of front yard fences (fences built forward of the building line), 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 from Council;

Complying Development: 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 two categories above which require a more detailed assessment and, on some occasions, notification of neighbours.

How do I know what approvals path applies to my development?

Council has developed a series of Fact Sheets to assist you in determining what approvals path applies to your development. Establishing what 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; 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 section 10.7 Planning Certificate—application forms are available from the Planning and Development section of the LSC website www.lachlan.nsw.gov.au.

Alternatively, you can make an appointment with one of Council's qualified and experienced staff to discuss your project, or, an accredited certifier.

Other Important Resources

Refer to *Fact Sheet No. 2—Dividing Fences* for further information about dividing fences and your rights and obligations as a landholder.

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 farm buildings and structures. Any person using this Fact Sheet must do so on the basis that not every scenario & issue can be addressed and discussion with Council's staff is encouraged. This document is subject to change without notice.





Please use checklist only for fences to be located IN FRONT OF THE BUILDING LINE ie fences to be built in your 'front yard' (for back yard fences please use the separate 'Back Yard Fences' Fact Sheet)					
Exempt	Yes	No	Complying	Yes	No
Will the fence be built on land in a R1 General Residential or a R5 Large Lot Residential zone?			See separate fact sheet on rural fences if your land is not in a residential zone		
The fence <i>will not</i> be built on, or adjacent to, a heritage item?			Contact Council or an accredited private certifier for further information on heritage		
The fence <i>will not</i> be built on land that is flood affected?			Contact Council or an accredited private certifier for further information on building fences on flood affected lots		
Will the fence be no more than 1.2m in height? (Note: measure from ground level)			Will the fence be no more than 1.2m in height? (Note: measure from ground level)		
Will the fence be an 'open' style? (Note: 'open style' means pickets, slats, palings or lattice style panels)			The fence will not incorporate barbed wire in its construction or be electrified		
The fence <i>will not</i> be built from solid panels or using chain wire fencing?			if it includes an entrance gate — the gate <i>will not</i> open outward		
If to be built on a sloping block and stepped to the fall, the fence <i>will not</i> be more than 1.5m above existing ground level at each step?			Will the fence be open for at least 20% of the area of the fence that is more than 400mm above ground level (existing), with any individual solid element of the fence above that height being no more than 350mm wide with a minimum aperture of 25mm?		
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?		
If there is an entrance gate, the gate <i>will not</i> swing open over Council property (eg a footpath?)			If the fence is constructed of metal components—will the components be of low reflective, factory pre-coloured materials?		
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?		
The fence <i>will not</i> be an electric fence or uses barbed wire?			If the fence is in a flood prone area, be designed so as not to restrict the flow of any floodwater - Application to be accompanied by a joint report from a hydraulic and civil engineer stating the design is satisfactory.		

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.

