

FENCES ON STREET ALIGNMENTS

Guidelines for report and consent to vary Building Regulation 92

Legislative Provision 92

Fences on street alignments

- (1) Despite regulation 90(1) the report and consent of the relevant council must be obtained to an application for a building permit to construct a fence within 9m of a point of intersection of street alignments and exceeding a height of 1m above the footpath.
- (2) A fence adjacent to a street alignment or public open space must not contain barbed wire or other sharp protrusions unless –
 - (a) Despite regulation 90(1), the fence is set back at least 150mm from the street alignment or boundary of the public open space; or
 - (b) The barbed wire or other sharp protrusion is a height of at least 2m above the level of the street or public open space.

Information Required

An application to Council for report and consent for Regulation 92 must include:

- A completed report and consent application form and payment of the application fee.
- A site plan showing all existing buildings, the location of the proposed work and details of nearby buildings on the adjoining properties.
- Elevations showing existing buildings and design for the proposed fence.
- The location and extent of the noncompliance with the regulations must be clearly shown on the plans and all relevant details and dimensions must be provided.
- A full copy of title including a plan and a copy of any covenants or agreements listed on the title.
- A written submission giving supporting reasons for the dispensation to be granted.

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