

FENCING GUIDELINE

Planning a new fence? This guide explains the requirements for fences, screens, gates and retaining walls in Nhulunbuy and the Industrial Estate, including permitted heights and materials and the approvals you may need.

IMPORTANT: All fences require NCL approval, even if a Building Permit is not required. The NCL Fencing Policy (WT05), Building Note 114 and the Fences Act 1972 (NT) apply.

1. How high can my fence be?

LOCATION	MAXIMUM HEIGHT	SETBACK/OTHER REQUIREMENTS
Nhulunbuy - Front	1.2 m	Must be set back a minimum of 3 m from the road or lot boundary. Where a footpath or infrastructure (e.g. power pole) exists, an additional 0.5 m setback is required.
Nhulunbuy - Side	1.8 m	No setback specified. Fencing may generally be erected along the side property boundary, subject to the applicable requirements.
Nhulunbuy - Rear	1.8 m	No setback specified. Fencing may generally be erected along the rear property boundary, subject to the applicable requirements.
Industrial Estate (SPL250)	2.8 m	2.8 m Fencing may be erected around the perimeter of the whole property on all boundaries.

2. What materials can I use to build my fence?

Every fence must be cyclone-rated. Suitable options include:

- Tubular fencing
- Horizontal cyclonic-style line fencing
- Good-neighbour cyclone fencing
- Chain-link fencing

NOT ALLOWED: second-hand steam pipe, old scrap posts, leftover roofing sheets or similar materials. New sheet-metal or lightweight-cladding fences may not require a Building Permit, but they still require NCL approval through the Minor Works Form pathway.

3. Which application pathway do I need?

QUICK GUIDE: use the Minor Works Form when the proposed work falls within the limits listed below. Use a Building Application when the fence, wall, screen or gate exceeds those limits or requires certification. Contact NCL before applying if you are unsure.

MINOR WORKS FORM	BUILDING APPLICATION
Usually applies where no Building Permit is needed: • Masonry or strong wind-resistant material up to 1 m; • Mesh (including chain wire/chain-link), tubular or slatted fencing up to 1.8 m high, with gaps no wider than 100 mm; • Lightweight cladding or sheet metal up to 1.8 m; • Retaining walls up to 600 mm, subject to the requirements below Typical processing time: 5 working days	• Masonry over 1 m • Solid fencing over 1.8 m • Nhulunbuy - front fence over 1.2 m • Industrial Estate - fence over 2.8 m • Retaining wall over 600 mm • Fall barrier or glass panel fence • Privacy screen fixed to a building • Any design requiring engineering certification Typical processing time: 10 working days

Retaining walls up to 600 mm:may not require a Building Permit where they do not support a building or neighbouring land and are not over an easement, water main or sewer main.

Does my fence require a certifier?

Some fences and gates may require a private building certifier and an Out of Area (OOA) Design Compliance Certificate, particularly those in commercial or industrial areas, or designs requiring engineering certification. Where an OOA Design Certificate is required, the applicant will need to engage a private certifier to assess and certify the proposed works. The certifier’s documentation must be provided as part of the Building Application submitted to NCL.

4. What do I need to submit?

MINOR WORKS	BUILDING APPLICATION	BOTH PATHWAYS
- NCL Minor Works form and declaration - Site plan - Drawings or manufacturer’s specifications, including footing details - Excavation Permit application (unless replacing like-for-like) - Sub-lessee approval (where applicable)	- NCL Minor Works form and declaration - Site plan - Drawings or manufacturer’s specifications, including footing details - Excavation Permit application (unless replacing like-for-like) - Sub-lessee approval (where applicable) - NCL Building Application - Excavation Permit application - Site plan - Section 40 Design Certificate and/or manufacturer’s specifications - Sub-lessee approval (where applicable) - Out of Area Design Certificate (where applicable)	Your site plan should show: - Property boundaries - Fence location - Fence height and length - Distance from boundaries and buildings Include all required documents with your application to avoid delays.

5. How to apply

- Check your requirements - Confirm the fence location, height, materials and whether any special requirements apply.
- Choose the correct application - Use the Minor Works pathway or Building Application pathway above.
- Submit your documents - Include the required form, site plan, drawings/specifications and any supporting approvals.
- Wait for NCL approval - Do not start construction until the required approval has been issued.
- Build as approved - Construct the fence in accordance with the approved plans and requirements.

6. Before you build

- Confirm your legal property boundary.
- Talk to your neighbor if the fence is on a shared boundary.
- Check your lease or sublease allows the proposed fence.
- Check whether NCL’s Verge Policy (WT07) applies to your lot.
- Confirm whether an Excavation Permit is required.
- Make sure the fence design and materials are suitable for cyclone conditions.
- Obtain NCL approval before starting work.



FREQUENTLY ASKED QUESTIONS

Do I need approval to build a fence?

In most cases, new fences and significant alterations to existing fences require approval before work begins. If you are unsure whether approval is needed, contact Nhulunbuy Corporation before purchasing materials or commencing work.

What is the maximum height for a fence?

Generally, front fences must not exceed 1.2 m in height, while side and rear fences must not exceed 1.8 m. Additional requirements may apply depending on the location of the fence, including corner lots, visibility requirements and proximity to roads or accessways.

Can I install a front fence?

Front fences are assessed carefully because they can affect street appearance and visibility. The proposed fence must comply with applicable height, location and safety requirements.

Can I build a fence on my property boundary?

Yes, side and rear fences may generally be constructed along the property boundary, subject to the applicable requirements. Front fences are subject to additional setback requirements.

What if I don’t know where my property boundary is?

Nhulunbuy Corporation does not determine private property boundaries. If you are unsure of your boundary location, you should obtain appropriate advice from a licensed surveyor before commencing work.

Can I replace an existing fence?

Replacing an existing fence may require approval, particularly where the new fence changes the height, location, materials or design.

Do I need a survey for my fence?

A survey may be requested where the location of a proposed fence cannot be clearly established or where the fence is proposed close to a property boundary. Applicants may be required to provide additional information to demonstrate the proposed location.

Do I need my neighbours permission?

Neighbour consent may not always be a formal approval requirement. However, where a fence is proposed on or near a property boundary, property owners are encouraged to discuss the proposal with adjoining owners before work begins. This can help avoid disputes about the location, height, appearance and ongoing maintenance of the fence.

Can I increase the height of my existing fence?

Increasing the height of an existing fence may require approval. The proposed height and location must comply with applicable Nhulunbuy Corporation requirements.

Can I install a gate across a driveway?

Yes, provided the gate allows vehicles to safely enter and exit the property, does not obstruct public land or roadways, and maintains adequate sight lines. Approval may be required before installation.

Can I install and electric or automated gate?

Electric or automated gates may be approved subject to applicable safety requirements and relevant standards. Additional information may be requested as part of the application.

Do I need approval for a privacy screen?

Privacy screens generally require approval where they form a fixed structure, are attached to a dwelling, are visible from public areas, or otherwise fall within applicable building or development requirements. The design should not adversely affect neighbouring properties.

Can I install screening on my verandah or patio?

Screening may be permitted where it is structurally sound, does not create safety issues, does not adversely affect neighbouring properties and complies with applicable building requirements. Approval may be required before installation.

Can I use colourbond fencing?

Colorbond and similar fencing materials may be acceptable, subject to approval requirements and any applicable conditions.

Can I use chain mesh fencing?

Chain mesh fencing may be appropriate in some situations. However, additional considerations may apply in highly visible locations or residential frontages. Each proposal is assessed according to its location and circumstances.

Are there any restrictions for corner blocks?

Yes. Corner properties are subject to additional safety considerations to ensure visibility for road users and pedestrians. Fence height and location restrictions may apply.

Are there restrictions on fence materials or colours?

Fences should use suitable, durable materials and be appropriate to the property and surrounding streetscape. Certain locations may have additional requirements relating to materials, colours or appearance.

Can I start work before approval is granted?

Where approval is required, work must not commence until the relevant approval has been issued by Nhulunbuy Corporation. Commencing works without the required approval may result in compliance action or a requirement to modify or remove the structure.

What happens if my fence is already built without approval?

If a fence or screening structure has been constructed without the required approval, contact Nhulunbuy Corporation to discuss the appropriate next steps. Retrospective approval may be possible but not always. Modifications or removal may be required where the structure does not comply.

What happens if my fence does not comply?

Where a fence is found to be unsafe or does not comply with an approval or Nhulunbuy Corporation requirements, Nhulunbuy Corporation may require the issue to be rectified.

Who is responsible for maintaining a fence?

The property owner is responsible for maintaining approved fencing and screening structures in a safe and presentable condition.

