

# Licensing requirements for fence builders

A fence is classified as a 'fixed structure'. Any building work, which includes the installation, erection or construction of a fixed structure, is regulated by the QBCC under the *Queensland Building and Construction Commission Act 1991* (QBCC Act).

## When is a QBCC licence required to construct a fence?

Under the QBCC Act a person must hold a QBCC licence to construct a fence, **unless** one or more of the following applies.

The fence:

- is constructed on land which is **not** agricultural or pastoral land, and the value of the fence is less than \$3,300 (eg: a fence around a domestic dwelling);
- is constructed on agricultural or pastoral land and its value is less than \$27,500;
- is **built by the owner of the land** and its value is less than \$11,000;
- (regardless of its value) is not a pool fence, is less than 2 metres high and is **built by the owner of the land**;
- (regardless of its value) has been constructed under the authority of an owner-builder permit issued to the owner of the land;
- (regardless of its value) has no concrete footing and consists of posts, pickets or stakes joined together by strands of wire;
- (regardless of its value) is a temporary fence.

## Pool safety inspectors

A pool safety inspector who is licensed under the *Building Act 1975* is not required to hold a QBCC licence to perform their functions under the *Building Act 1975*. However, a pool safety inspector cannot personally repair a pool fence if the value of the work is over \$3,300, unless they hold a QBCC licence.

## What class of QBCC licence is required to construct a fence?

The class of QBCC licence required for fence construction will depend on the construction material being used. The following licence classes permit the holder to construct fences:

Licence Class	Fence Type
Builder - Low Rise	All types of fences
Builder - Medium Rise	All types of fences
Builder - Open	All types of fences
Builder Restricted to Structural Landscaping	All types of fences
Carpentry	Timber, glass and metal fences ONLY
Concreting	Concrete fences ONLY
Glass, Glazing and Aluminium	Glass and aluminium fences ONLY (e.g. pool fences)
Structural Landscaping (Trade)	All types of fences
Structural Metal Fabrication and Erection	Metal fences ONLY.
Non-Structural Metal Fabrication and Installation	Metal fences ONLY.
Bricklaying	Brick and block fences ONLY
Builder Restricted to Swimming Pool Construction	Pool fences ONLY - all types
Swimming Pool Construction, Installation and Maintenance (Construction)	Pool fences ONLY - all types
Swimming Pool Construction, Installation and Maintenance (Installation)	Pool fences ONLY - all types

## **Queensland Home Warranty Cover**

Contracting to build a fence does not require Queensland home warranty premium to be paid. However, in some circumstances (e.g. you are contracting a fence as part of a contract to build a home or extension) a premium will need to be paid before construction commences. If you are unsure whether the fence you are building requires this cover you should contact the QBCC on 1300 272 272.

## **How do I get a QBCC licence?**

The criteria for each licence class is different but in most instances you will need to complete an application form, provide evidence of your technical experience and demonstrate that you meet the managerial and financial requirements expected.

## **What happens if I construct a fence without the appropriate QBCC licence?**

An individual or company who unlawfully constructs, or enters into a contract to construct a fence without a QBCC licence, commits an offence under the QBCC Act. The maximum penalty for this offence is a fine of \$27,500 for an individual or \$137,500 for a company.

An unlicensed individual or company also commits an offence if they advertise to construct a fence that requires a QBCC licence. The maximum penalty for this offence is a fine of \$11,000 for an individual, and \$55,000 for a company.

## **For more information**

For information about fence-building, licences and how to apply, or to find out what scope of work you are allowed to do with your existing licence, call 1300 272 272 or visit [www.qbcc.qld.gov.au](http://www.qbcc.qld.gov.au)