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MEDIA RELEASE

## GOOD FENCES MAKE GOOD NEIGHBOURS?

Conflicts over borders, boundaries and defining territory have been around since time immemorial. Enter the Great Wall of China at almost nine thousand kilometers long. It stands as testament to an empire's determination to protect their territory from neighbouring threats.

Today, the issue of a boundary fence is often contentious between neighbours.



But surely, common sense and good communication will enable you to avoid a dispute? Not necessarily says Far North Coast Law Society President, Bill Grace. "Boundary fences are costly and can elicit strong emotions when they affect the view or sunlight into a neighbour's yard. There are laws governing boundary fences and you should know your rights and responsibilities before you approach your neighbour."

" Adjoining owners are liable to contribute in equal proportions for fencing work and neighbours have an equal say in any changes to a boundary fence. "

" Problems occur however, when one neighbour goes ahead and makes the decision to replace the fence and assumes the other neighbour will have to pay for half. The fact is that your neighbour is only responsible to pay ½ of the what is considered to be a **standard dividing fence** in the circumstances " says Bill.

"So if you want something fancy, not only will you be footing the bill for the extra cost, you must get the neighbours consent on that particular building material first."

Even if neighbours agree on the cost, style and location of a fence, the Far North Coast Law Society recommends that they record the agreement in writing.

Bill says “A serious dispute with your neighbour can not only be costly, it can make life very unpleasant. It is always better to contact your local solicitor and discuss your options with them **before** you let a dispute get out of control. It may seem like an insurmountable problem to you, but it is something we deal with regularly and can usually resolve straight away.”

And of course if neither of you want a boundary fence – you don’t have to have one!

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RELEVANT LEGISLATION: Dividing Fences Act (NSW) 1991

**ABOUT THE FAR NORTH COAST LAW SOCIETY**

The Far North Coast Law Society is the premier professional organisation for law practitioners situated on the Far North Coast of NSW. Members are private practitioners, large and small law firms and law students who work and/or live in the Tweed, Byron, Ballina, Lismore, Kyogle & Richmond Valley areas. Like you, our members are local and serving the community is important to us.

To find a local solicitor contact the Far North Coast Law Society on [enquiry@farnorthcoastlawyers.com.au](mailto:enquiry@farnorthcoastlawyers.com.au).