



Local Planning Policy 2.8

Fences



Fences

Citation

This is a Local Planning Policy prepared under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015. This policy may be cited as Local Planning Policy 2.8 – Fences (LPP 2.8).

Introduction

The purpose of this policy is to augment the Residential Design Codes (R-Codes) for residential fencing to provide local guidance and dividing fence criteria and provide development standards for fencing to non-residential properties.

Objectives

The objectives of this policy are:

- to ensure street fences maintain or enhance the character of the prevailing streetscape and the area while providing safety to road and footpath users;
- to ensure boundary fences have minimal adverse impacts to adjoining properties with particular emphasis on solar access, visual privacy, building bulk, and views.

Application of this policy

This general Policy applies to all residential development assessed under Volume 1 of the Residential Design Codes (R-Codes) except where provisions are contained within a Local Planning Policy, Local Development Plan or Structure Plan pertaining to a more localised area. In the event that there is a conflict between this general Policy and a provision contained within another planning instrument dealing with a specific area, the provision within the specific instrument shall prevail to the extent of any inconsistencies.

For heritage-protected places, in the event that there is a conflict between this Policy and Local Planning Policy 3.6 Heritage-protected Places Built Form and Land Use (LPP 3.6), the criteria in LPP 3.6 will prevail.

The deemed-to-comply criteria in this Policy replace the specified deemed-to-comply clauses of the R-Codes. Where a R-Codes clause or sub-clause is not referred to in this Policy, that clause remains as per the R-Codes. Where any development does not meet the Policy criteria, it is to be assessed against the Design Principles of the R-Codes and this Policy (as relevant), and the objectives of this Policy. Other exemptions from planning approval may be found in LPP 1.7: Development Exempt from Planning Approval.

Note that a building permit may still be required.



Policy statement

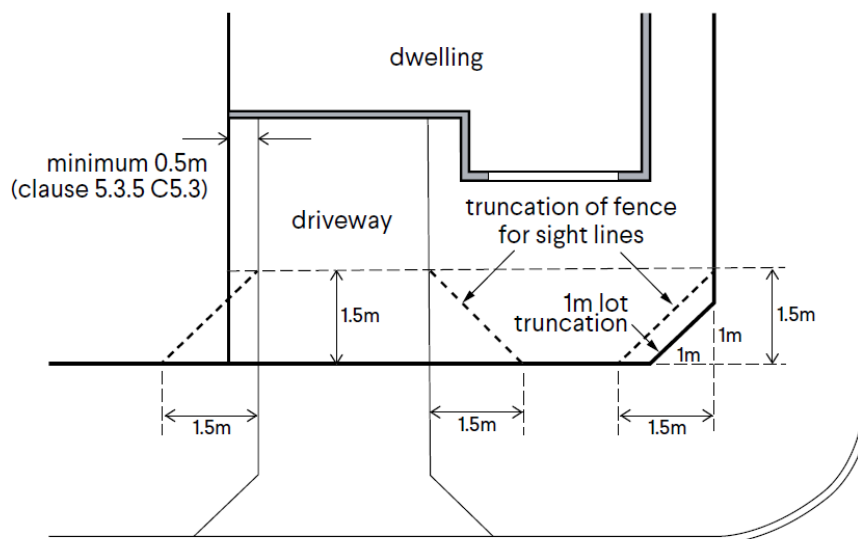
PART 1 – ALL FENCING

All Development
1. All Fences and Gates
Deemed-to-comply provisions being modified
N/A
Local Housing Objectives (Design Principles)
Fences to be designed so that they do not present a safety hazard to users of adjoining properties, particularly residential properties.
Deemed-to-comply
1.1 Fences are not electric, barbed wire, razor wire or similar.

PART 2 – RESIDENTIAL FENCING

This part covers development assessed under Volume 1 the Residential Design Codes.

Note that in addition to the modified criteria below, all fences abutting vehicle accessways must also meet the deemed-to-comply criteria of cl. 5.2.5: Sightlines of the R-Codes, requiring a 1.5m truncation area be provided clear of obstructions greater than 0.75m high (refer figure below). Additionally, cl. 5.3.5: Vehicular access of the R-Codes has been modified by Local Planning Policy 2.9: Residential Streetscapes to limit driveway width at the boundary to maximum 4.5m.



R-Codes Volume 1, Parts B & C

2. Part B, cl. 5.2.4 - Primary street walls and fences Part C, cl. 3.6 - Streetscape

Deemed-to-comply provisions being modified

Volume 1, Part B, cl. 5.2.4 (C4.1), (C4.2)
Volume 1, Part C, cl 3.6 (C3.6.8)

Local Housing Objectives (Design Principles)

2.1 In addition to the existing design principles, the local government shall have regard to maintaining sufficient street surveillance from the property as well as the following matters:

- Whether the proposed fence height and permeability is consistent with the established pattern of fences within the streetscape;
- Whether minor variations are made necessary by virtue of the sloping topography of the site; and/or



c) Whether it is necessary to provide privacy screening where there is no alternative outdoor living area to the primary street setback.

Deemed-to-comply (Part B)

C4.1
When provided, fences or walls within the primary street setback area are to be:

- i. a maximum height of 1.8m; and
- ii. visually permeable above 1.2m (refer Figure 12 of the R-Codes);

measured from natural ground level on the primary street side of the fence or wall.

C4.2
Solid pillars that form part of front fences not more than 2.0m above natural ground level provided the horizontal dimension of the pillars is not greater than 450mm by 450mm and pillars are separated by visually permeable fencing in line with C4.1 (refer Figure 12 of the R-Codes).

C4.3
Clauses C4.1 and C4.2 above do not apply to primary street fences along Douglas Street in Fremantle. Fences on Douglas Street are to have a maximum height of 1.1m measured from natural ground level on the primary street side of the fence or wall.

Deemed-to-comply (Part C)

C3.6.8
Solid pillars that form part of front fences or walls are not more than 2.0m above natural ground level, provided the horizontal dimension of the pillars is not greater than 450mm by 450mm and pillars are separated by visually permeable fencing in line with C3.6.7 (Refer Figure 3.6c of Vol. 1 of the R-Codes).

WAPC Approval Required?	Date Approved By WAPC
No	N/A

3. Secondary street fencing
Part B – New
Part C, cl. 3.6 - Streetscape

Deemed-to-comply provisions being modified

Part B – New
Part C, cl. 3.6 (3.6.9)

Local Housing Objectives (Design Principles)

3.1 In addition to the existing design principles of clause 3.6 of Part C of the R-Codes, the local government shall have regard to the following matters:

- a) Whether the proposed fence height and permeability is consistent with the established pattern of fences within the streetscape;
- b) Whether minor variations are made necessary by virtue of the sloping topography of the site; and/or
- c) Whether it is necessary to provide privacy screening where there is no alternative outdoor living area.

Deemed-to-comply (Part B)

C3.1 (New)

Street fences or walls within a secondary street setback area and outside of a primary street setback area are solid to a maximum height of 1.8 metres in height measured from the natural ground level on the secondary street side of the fence or wall.

Deemed-to-comply (Part C)

C3.6.9

For sites on street corners, street fences or walls within the secondary street setback area are to be designed in accordance with C3.6.7 and C3.6.8 for a minimum 50 per cent of the street boundary behind the primary street setback (refer Figure 3.6d of the R-Codes) and with all remaining fencing to a maximum 2.0m in height measured from the natural ground level on the secondary street side of the fence or wall.

WAPC Approval Required?

Date Approved By WAPC

No

N/A

4. Boundary fences and screening materials

Deemed-to-comply provisions being modified

N/A

Local Housing Objectives (Design Principles)

4.1 Boundary fences and screening materials are to have no significant adverse impacts on the amenity of neighbouring properties, particularly in relation to building bulk, loss of views, visual privacy, and solar access.

Deemed-to-comply (Parts B & C)

4.1.1

Boundary fences outside of the primary or secondary street setback areas no greater than 1.8m in height above natural ground level as measured from the highest natural ground level either side of the boundary fence, and with attached screening material no more than an additional 500mm high.

WAPC Approval Required?

Date Approved By WAPC

No

N/A



PART 3 – NON-RESIDENTIAL FENCING

This part covers development that is not assessed under the Residential Design Codes.

5. Non-residential land use	
<p>Objectives</p> <ul style="list-style-type: none"> • To maintain the amenity of adjoining lots; • To ensure the style and height of fencing is consistent with the established pattern of fences within the streetscape; • To provide safety to vehicles and pedestrians; and • To provide security to a non-residential property. 	
<p>Policy Provisions</p> <p>Where development meets the Policy Provisions below, it is considered to be deemed-to-comply and does not require a planning approval but may still require a building permit. Where development does not meet the Policy Provisions, it is assessed against the above objectives and the objectives of this Policy.</p>	
Design Elements	Policy Provisions
5.1 Street walls and fences	<p>5.1.1 Primary and secondary street walls and fences for non-residential properties meet all of the R-Codes Volume 1, Part B deemed-to-comply criteria as modified in this Policy.</p> <p>5.1.2 Street fences are not chain link, mesh, electric, nor have razor wire, barbed wire, or the like.</p>
5.2 Sightlines at vehicle access points	5.2.1 Where a fence abuts a vehicle access point and is not of visually permeable construction, sight lines are provided in accordance with the relevant Australian Standard AS2890.2 (as amended).
5.3 Boundary fences	5.3.1 Boundary fences outside of the primary and secondary street setback areas are a maximum of 2.0 metres in height where abutting ground floor non-residential development, and 1.8 metres in height where abutting ground floor residential development or residential zoning.



Definitions and terms

Heritage-protected place is as defined in Schedule 2 Regulation 1A of the *Planning and Development (Local Planning Schemes) Regulations 2015*. For ease of reference: the definition includes state registered places, locally registered places, places the subject of a heritage order or heritage agreement, and all properties within a heritage area, including non-contributory properties.

Prevailing Streetscape means the characteristics (front walls and fencing) of the 3 properties, where appropriate, adjoining either side of the subject site, fronting the same street and in the same street block.

In the case of a corner lot where the dwelling is orientated to the splay, the characteristics of the adjoining three properties, where appropriate, facing both streets shall be considered.

Greater weight may be given to the characteristics of the two immediately adjoining properties on either side of the subject site fronting the same street(s).

For the purpose of this definition, properties separated by a street shall not be considered 'adjoining'.

Primary street means:

- For residential development, as per the R-Codes; and
- For non-residential development, unless otherwise designated by the local government, the sole or principal public road that provides access to the major entry (front door) to the building.

Secondary street means:

- For residential development, as per the R-Codes; and
- For non-residential development, in the case of a site that has access from more than one public road, a road that is not the primary street.

Subject site means the site or lot on which the development is proposed.



Local Planning Policy – Document Control				
Responsible Officer		Previous Policy Title		Next Review Date
Manager City Planning		N/A		(four years)
Version	Decision to Adopt/Amend		Brief Details of Modifications	
1	22 October 2008 - OCM - PSC0809-288		Adoption	
2	24 April 2012 - OCM - PSC1204-55		Consolidate and clarify elements	
3	23 March 2022 – OCM - PC2203-11		Introduce exemptions and heritage area fences	
4	11 March 2026 – OCM – C2603-7			
Public Consultation		Yes/No		
WAPC Approval Required?		No	Date approved by WAPC	N/A