

Policy P350.7 Street walls and fences

Responsible Business Unit/s	Development Services
Responsible Officer	Manager Development Services
Affected Business Unit/s	Development Services

Policy Objectives

1. To regulate the height of obstructions adjacent to formed driveways and at the corners of streets and rights-of-way in the interest of pedestrian and vehicular safety.
2. To preserve or re-establish a desired 'open front garden' streetscape character.
3. To promote casual surveillance of the public and private realm through appropriate fencing design, in order to increase on-site and neighbourhood safety and security.
4. To ensure the height of side and rear boundary dividing fences reflects the need to provide visual privacy.
5. To ensure new fencing is compatible with existing streetscapes and protects neighbours' amenity.

Policy status

This policy is made pursuant to Part 2 (Division 2) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulation 2015* (the Regulations). Clause 7.3.1(a) of the Residential Design Codes (the R-Codes) provides that local planning policies may vary or replace certain deemed-to-comply elements of the R-Codes, including those related to design elements 5.2.4 and 6.2.2 (street walls and fences). This policy is to be used in conjunction with the Scheme, Part 5 & 6 of the R-Codes and any other relevant council policies relating to residential land.

Note: This includes but is not limited to matters related to vehicle access (design elements 5.3.5 & 6.3.5) and vehicle sightlines (design elements 5.2.5 & 6.2.3) as well as clause 6.4 (Fences) and 6.14 (Landscaping) of Town Planning Scheme No. 6.

Policy application

This policy replaces those deemed-to-comply criteria of design elements 5.2.4 and 6.2.2 (street walls and fences) of the R-Codes and is to be used in conjunction with the Scheme (Clause 6.7) and any other relevant council policies relating to residential land. The Policy also provides further guidance on how the matters specified in the relevant design principles may be interpreted.

Policy statement

1.0 Deemed-to-comply proposals

The deemed-to-comply criteria of the R-Codes of Design Elements 5.2.4 C4 & 6.2.2 C2 are replaced with the following:

1.1 Height and permeability of street walls and fences

1.1.1 Fences within primary street setback area or communal street as viewed from the public road or communal street shall achieve 80% visual permeability where above 1.20 metres in height up to a maximum height of 1.80 metres, with piers/pillars not higher than 2.10 metres and not wider than 0.47 metres.

Note: Refer to explanatory notes. See Figure 1

1.1.2 Fences within a secondary street setback area shall be a maximum of 1.8 metres in height with any piers/pillars not higher than 2.10 metres.

1.1.3 Notwithstanding clause 1.1.1, Council may permit a fence to be solid up to 1.8 metres in height where the street setback area(s) has frontage to:

- Canning Highway;
- Douglas Avenue;
- George Street;
- Hayman Road;
- Kent Street;
- Labouchere Road (Mill Point Road to Thelma Street);
- Manning Road;
- Melville Parade;
- Mill Point Road (Labouchere Road to Way Road);
- South Terrace;
- Thelma Street (Labouchere Road to Canning Highway); and
- Way Road.

1.1.4 Where the site fronts onto a street other than a street specified in 1.1.3, solid fencing up to 1.8 metres in height which encloses not more than 50% the primary street setback area is permitted in the following circumstances:

- (a) Where privacy screening is needed in the primary setback area because there is no alternative outdoor living area, or,
- (b) Where privacy screening is needed for north-facing outdoor living areas.

Note: Refer to explanatory notes. See Figure 2

1.2 Materials of street walls and fences

1.2.1 Fences within street setback area(s) (primary and/or secondary street) as viewed from the street, shall be constructed of either timber pickets, masonry materials, open grille metal panels or the like, but shall not be constructed of fibre cement sheeting or metal sheeting.

1.2.2 Where a development comprises two or more dwellings on a lot, in respect of any 'internal' fence visible from any communal street or the front of any dwelling, the fence is not to be constructed of fibre cement sheeting.

1.3 Requirement for provision of new fences

In conjunction with any proposed residential development, the applicant is to provide new fences on the rear boundary and all side boundaries of the site behind the street setback area, other than in the following circumstances:

- (a) Where the proposal involves only additions, alterations or outbuildings appurtenant to an existing dwelling; or
- (b) Where an existing fence is structurally sound, on a straight alignment, 1.8 metres high, and free of significant damage or discolouration.

1.4 Existing boundary fencing to remain until replaced

Where an existing fence is to be replaced, the new fence is to be erected immediately following the removal of the existing fence.

2.0 Proposals assessed against the design principles

Where a development proposal does not meet the applicable deemed-to-comply criteria of this policy, the proposal is to be assessed against the design principles of the R-Codes. This policy does not modify the design principles, however the following matters will be considered in the determination of proposals that apply the design principles of Design Element 5.2.4 P4 & 6.2.2 P2;

- (a) Whether the height, materials and visual permeability of the proposed fence is consistent with the established pattern of fences within the surrounding streetscape or will not materially impact on the character or amenity of the surrounding streetscape. This includes matters such as excessive shadow and restriction on sun penetration, restriction on views of significance and adverse bulk and scale.
- (b) Additional fence height where necessary by virtue of the sloping topography of the site, including any level difference between a site and the adjacent street verge.
- (c) Where privacy screening is needed in the street setback (primary, secondary or communal street) area because there is no alternate outdoor living area or where privacy screening is needed for a north facing outdoor living area.
- (d) The fence relates to a Mixed Development and the height or solidity of the fence is considered to compliment the form of the Mixed Development.

EXPLANTORY NOTES:

Method for measuring fence height

The height of a fence to a boundary shall be measured from the level adjacent to the fence at any point (ie. As per natural ground level as defined in the R-Codes). Where the ground level is higher on one side of the fence, the fence height is measured from the higher side (refer to Figure 3).

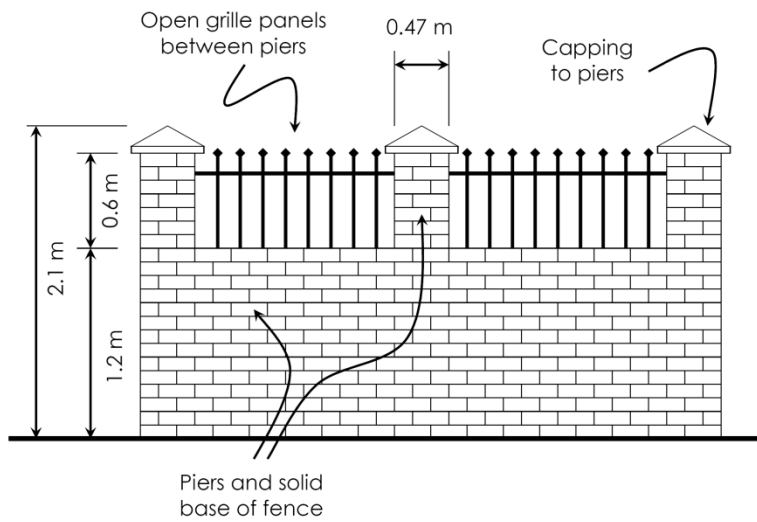


Figure 1: Dimensions and permeability of street walls and fences.

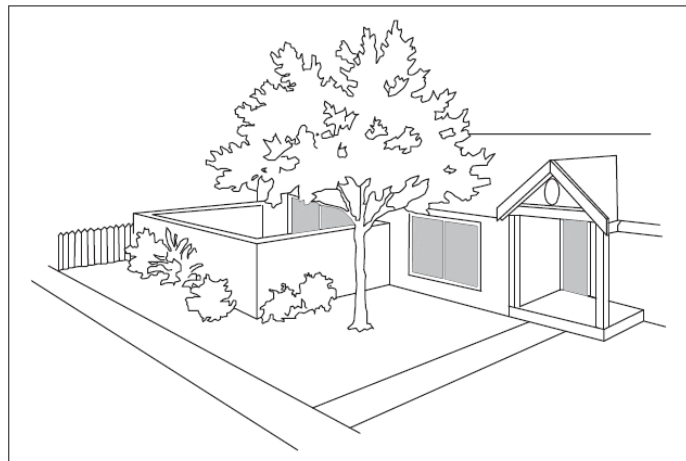
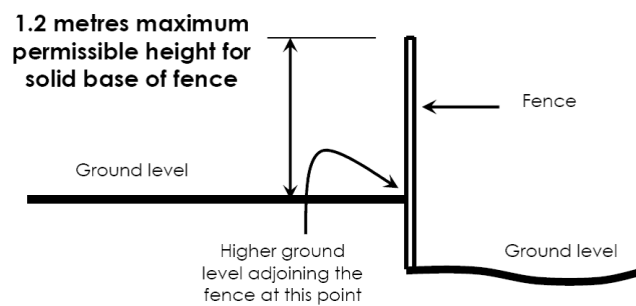


Figure 2: Partial enclosure of street setback area with solid fencing to provide privacy where no alternative is available.



Fence height measured above the higher ground level adjoining the fence

Figure 3: Measurement of ground level where differing adjacent ground levels.

Legislation/Local Law Requirements

City of South Perth Town Planning Scheme No. 6
Residential Design Codes of Western Australia
Building Code of Australia

Other relevant policies/key documents

City of South Perth Planning Policies