Boundary Fencing

Local Planning Policy 4

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 (LPP) – 4 Boundary Fencing.

Introduction

This policy provides the standards which apply to all boundary fencing within the Shire.

Objectives

Development should result in the following objectives being met:

a) A clear definition of a 'sufficient fence' is provided for the purpose of the application of the Dividing Fences Act 1961.

b) Fences do not unreasonably impact on the amenity of the Shire through visual pollution, offensive appearance, creation of hazards, excessive bulk, scale and overshadowing, or by being an unreasonable risk to health and safety.

c) Fences are constructed of materials that will provide a pleasant environment and amenity.

Application of this Policy

The provisions of this Policy do not apply to boundary walls and retaining walls, which are governed by the Residential Design Codes, the Building Code of Australia, and the *Local Government (Miscellaneous Provisions) Act (1960).*

A swimming pool fence to meet the obligations of the Building Code of Australia Vol. 2 2010, Building Regulations Part 10 and Australian Standard AS1926.1, may form part of a dividing fence and so be subject to the provisions of this Policy.

Fencing which is compliant with all the Acceptable Development Standards of this policy does not require planning approval as per clause 61 (1)(i) of the Deemed Provisions of the Scheme. Notwithstanding, fencing which is to be located in the 'Rural Residential' zone, in Gnarabup or in the Flinders Bay Special Control Area requires planning approval.

Nothing in this Policy removes the obligation of a landowner to comply with any civil agreement or Restrictive covenant relevant to particular land. Notwithstanding, fencing which is not consistent with this policy shall not be constructed unless an applicable planning approval has been issued.

Applicants should undertake consultation with the Shire before constructing fencing which defines the boundary of a lot with a Reserve (except road reserves) managed by the Shire of Augusta Margaret River.

Boundary fences are prohibited on Molloy Island.

Interpretation

For the purpose of this Policy terms used have the following meaning:

"Dividing Fence" A fence that separates the lands of different owners whether the fence is on the common boundary of adjoining lands or on a line other than the common boundary.

"Sufficient Fence" Fencing which meets with the applicable 'Acceptable Development' standards of this policy or as may be agreed upon by adjoining owners provided that it does not fall below the Acceptable Development standard.

"Height" Means the maximum vertical distance between the natural ground level and the extent of the fence immediately above that point, and for the purpose of establishing height includes the height above natural ground level of any retaining wall.

"Retaining Wall" Means any structure which prevents the movement of soil in order to allow ground levels of different elevations to exist adjacent to one another.

Policy Measures

Performance Criteria	Acceptable Development
Element 1: Residential (includes the 'Town Centre', 'Village Centre' and 'Composite Industry' Zones of LPS1.	Note: Where residential zoned land abuts land zoned for non residential purposes, the fencing requirements applicable to the residential zone prevail.
PC2.1 Fencing which provides adequate privacy for residents. PC 2.2 Fencing which does not have an adverse effect on the character of the area. PC 2.3 Fencing which provides adequate sight lines between the road and vehicle access points	AD2.1 Fences constructed of rammed earth, masonry, modular metal panels, timber (including brushwood), wrought iron, corrugated fibre cement or combinations of any of these; or Fences of a style and material as stipulated by any relevant Local Development Plan. AD2.2 Fences constructed in accordance with manufacturers specifications, accepted construction techniques, and the requirements of any structural certification required for the fence. AD2.3 Front fences designed in accordance with the Residential Design Codes with a maximum total height of 1800mm. AD2.4 Where the lot fronts two or more streets, fences designed in accordance with the 'sight lines' requirements of the Residential Design Codes. AD2.5 Side and rear boundary fences, having a minimum height of 1600 mm and a maximum height of 2300mm. Side boundary fencing visually permeable above 1200 mm from the front of the lot for a distance of 3000mm. Where residential zoned land abuts land zoned for non residential purposes, the fencing requirements applicable to the residential zone prevail.

	AD2.6 In the area identified by Attachment 1 to this policy, fences shall be of an 'open standard' and solid fencing such as sheeting, timber or timber picket fencing is not permitted.
Element 2: Industrial / Commercial (excluding composite industry)	Note: Where Industrial/Commercial zoned land abuts land zoned for other (non residential) purposes, the fencing requirements applicable to the Industrial/Commercial zone prevail.
PC3.1 Fencing which does not have an adverse effect on the character of the area. PC3.2 Fencing which provides adequate security to premises, without posing a danger to the community.	AD3.1 Fences constructed of rammed earth, masonry, modular metal panels, timber, wrought iron, corrugated fibre cement, steel post and link-mesh type fences and combinations of any of these. AD3.2 Fences constructed in accordance with manufacturers specifications, accepted construction techniques, and the requirements of any structural certification required for the fence. AD3.3 Front, side and rear boundary fences having a minimum height of 1800mm and a maximum of 2000mm. AD3.4 Fences utilising barbed wire at top of fence and gate, with the same separation between wire for both the fence and gate. AD3.5 Fences no higher than 750mm where constructed of solid materials and at the entrance to properties where visual sightlines for pedestrians and vehicle movement, are likely to be affected.
Element 3: Priority Agriculture / Rural Residential	
PC4.1 Fences which exhibit a rural aesthetic PC4.2 Fences which adequately secure the movement of stock. PC4.3 Fences which do not hinder the movement of emergency vehicles PC4.4 Fences which allow free movement of wildlife through rural residential areas.	AD 4.1Priority Agriculture - Visually permeable fences constructed of post and wire (which may include barbed wire) and not exceeding 2m in height. AD 4.2 Rural Residential - Visually permeable fences constructed of post and wire and not exceeding 1.2m in height; or Fences of a style and material as stipulated by any relevant Structure Plan. AD4.3 Electrified fences, not including barbed wire and constructed in accordance with AS/NZS3014:2003. AD4.4 Fences which are not inconsistent with a Bushfire Management Plan and will not impede the implementation of a direction under the *Bush Fires Act 1954*.

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