

Primary street fencing describes any fencing forward of a dwelling within the primary street setback area, while secondary street fencing is fencing along the secondary street of a corner lot.

A development application may be required to seek planning approval, should the design of the fence not meet the Deemed-to-Comply provisions of the Residential Design Codes - Volume 1. Furthermore, a Building Permit may be required for any masonry finish.

### R-Codes requirements

The State Planning Policy 7.3 – Residential Design Codes Volume 1 (R-Codes) provides the minimum performance requirements (Deemed-to-Comply criteria) for residential development within Western Australia.

The R-Codes Deemed-to-Comply criteria requires front fences to be low in height to maintain connectivity to the streetscape, promoting street surveillance and enhancement of the visual amenity. Generally, front fences may be solid up to 1.2m high, and visually permeable above 1.2m of the natural ground level, measured from the primary street side of the fence.

STREET FENCE APPROVAL REQUIREMENTS			
Location	Height	Type	Planning Approval Required
Within the Primary Street setback area (front fence <sup>[SP1]</sup> )	<750mm	Visually permeable fencing (material other than masonry)	No
		Solid fencing (non-permeable material)	No
	<1200mm	Visually permeable fencing (material other than masonry)	No
		Solid fencing (non-permeable material)	No
	>1200mm	Visually permeable fencing (material other than masonry)	No
		Solid fencing (non-permeable material)	Yes
Within the Secondary Street setback area	Maximum of 1800mm	Visually permeable fencing (material other than masonry)	No
		Solid fencing (non-permeable material)	No

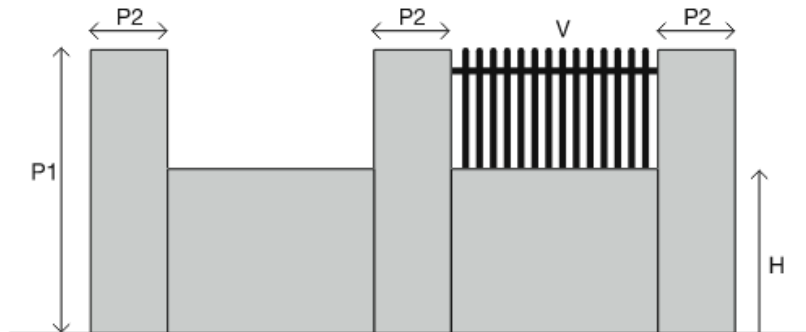
### What is considered 'visually permeable'?

The R-Codes definition of visually permeable is:

*In reference to a wall, gate, door or fence that the vertical surface has:*

- continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area;
- continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or
- a surface offering equal or lesser obstruction to view;

as viewed directly from the street.



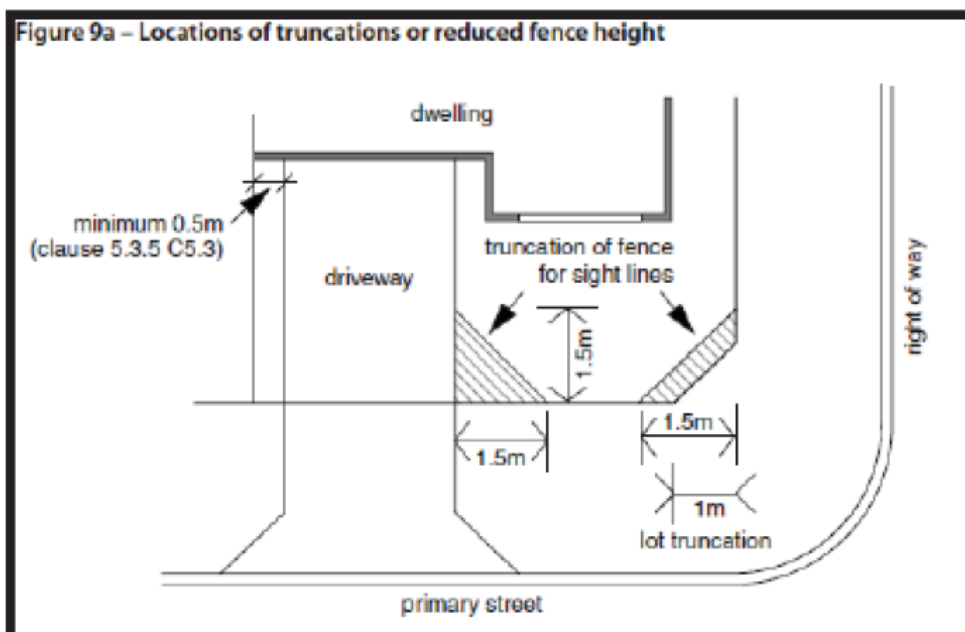
Notes

- H maximum height of visually impermeable fencing 1.2m\*
  - P1 maximum pillar height of 1.8m\*
  - P2 pillar dimension 400mm x 400mm maximum
  - V area above 1.2m to be visually permeable\*
- \* measured from natural ground level on the primary street side of the fence

**Do I need to ensure that vehicle sightlines are maintained?**

Yes. A pillar to a height of 1.8 metres with a maximum dimension of 400mm x 400mm may be permitted within 1.5 metres of where a driveway meets the front property boundary provided the remainder of the wall within this area is visually permeable (as defined under the R-Codes) above 750mm to provide clear sightlines.

Primary street fences must be truncated or be no higher than 750mm within 1.5 metres of where fences and walls adjoin driveways, where a driveway meets a public street or where two streets intersect (e.g. corner lot).



## Does having a swimming pool in the front setback affect the front fence?

Yes. In addition to the minimum planning and building requirements, you will need to comply with AS1926.1 which specifies the additional barrier requirements for swimming pools.

## Secondary Street Fences

A secondary street fence is a wall, screen or barrier that abuts a street boundary that is not the primary frontage and can be proposed up to a maximum height of 1.8 metres above natural ground level (street side in the case that ground level varies).

## Variations to Requirements

If a primary or secondary fence does not meet the Deemed-to-Comply requirements of the R-Codes, a development application can be lodged to request for a variation.

## Dividing Fences

Any fence behind the street setback line (as defined by the R-Codes) that separates the land of different owners is considered a 'dividing fence' and must comply with the requirements for a sufficient fence as specified in the *Dividing Fences Act 1967*.

The Building Commission can provide general advice regarding dividing fences legislation. Further information is available on their website at

[Dividing fence matters – overview | Department of Mines, Industry Regulation and Safety \(commerce.wa.gov.au\)](https://commerce.wa.gov.au) |

[SP2]

## Neighbours

The Shire is unable to act on matters regarding dividing fences under the Dividing Fences Act 1961. The Building Commission provides general advice on dividing fences legislation. The Shire and the Building Commission do not have authority to provide rulings for neighbour disputes. Neighbours who cannot reach an agreement should seek independent or legal advice.

<b>Department:</b>	Development Services	<b>Next review:</b>	2024
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