

Information Sheet

FENCES – RESIDENTIAL ZONE

IMPORTANT LINKS:

[Residential Design Codes \(R-Codes\)](#)

WHAT IS CONSIDERED A FRONT FENCE

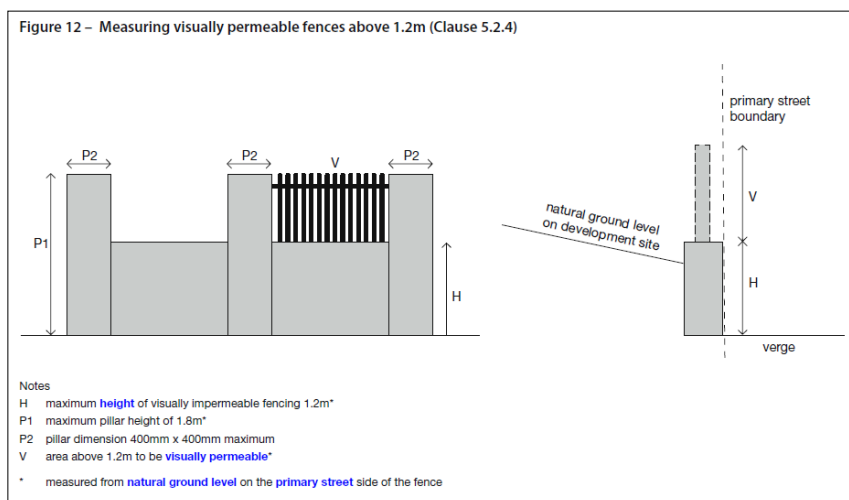
A “front fence” is any fence or wall located within the *primary street setback* as set out in *State Planning Policy 7.3 - Residential Design Codes (R-codes)*. The primary street setback area is the area between the front property boundary and the primary street setback line, which is designated under the R-codes and is based on the density of the property. The table below provides the primary street setback for range of densities within the City :

| Density | Primary street setback |
|-----------|-------------------------|
| R2 | 20m |
| R2.5 | 15m |
| R5 | 12m |
| R10-R12.5 | 7.5m |
| R15-R25 | 6m |
| R30-R40 | 4m |
| R50-R60 | 2m |
| R80 | 1m |
| RAC | Please contact the City |

R-CODES REQUIREMENTS

Front fences are required to satisfy the provisions of the **Clause 5.2.4 Street Walls and Fences** of the R-Codes. Under the deemed-to-comply criteria, front fences are permitted to be solid up to 1.2m above natural ground level, as measured from the primary street (verge) side of the front fence. Pillars which are 400mm (w) x 400mm (l) may be solid up to maximum height of 1.8m. The remainder of the front fence above 1.2m above natural ground level must be Visually Permeable.

Figure 12 from the R-codes, provided below, demonstrates the deemed-to-comply requirements of clause 5.2.4 of the R-codes -



WHAT IS CONSIDERED 'VISUALLY PERMEABLE'?

The R-Codes defines visually permeable as:-

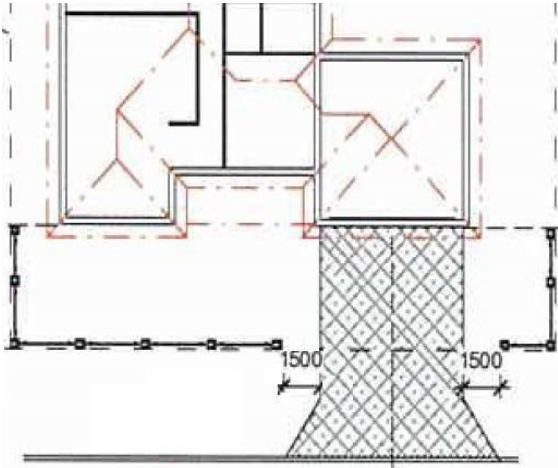
In reference to a wall, gate, door or fence that the vertical surface has:

- *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.*

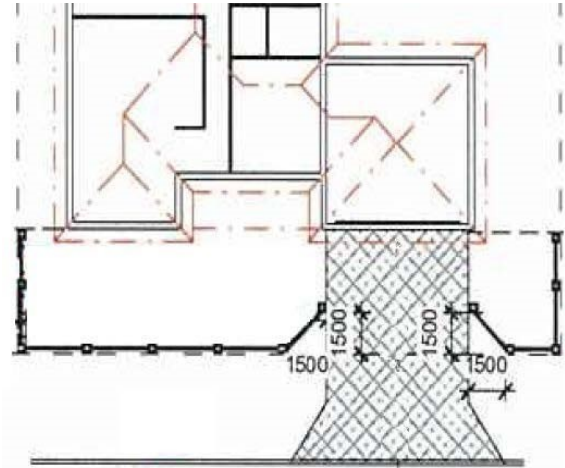
SIGHT LINES (VISUAL TRUCATION)

Where a wall, fence or other structure adjoins a driveway, unobstructed sight lines are required to be provided in accordance with the provisions of the Clause 5.2.5 Sight Lines of the R-codes. To increase safety and improve visibility, solid walls no higher than 750mm may be located within 1.5m of where a fence, or other structure intersects with a driveway. Alternatively, if the fence is not to be reduced in height it must be truncated - refer figure below:

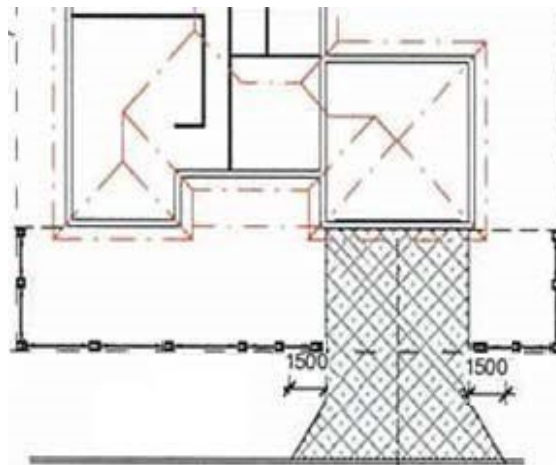
Example A - Aerial view of front fence being setback away from the truncation area.



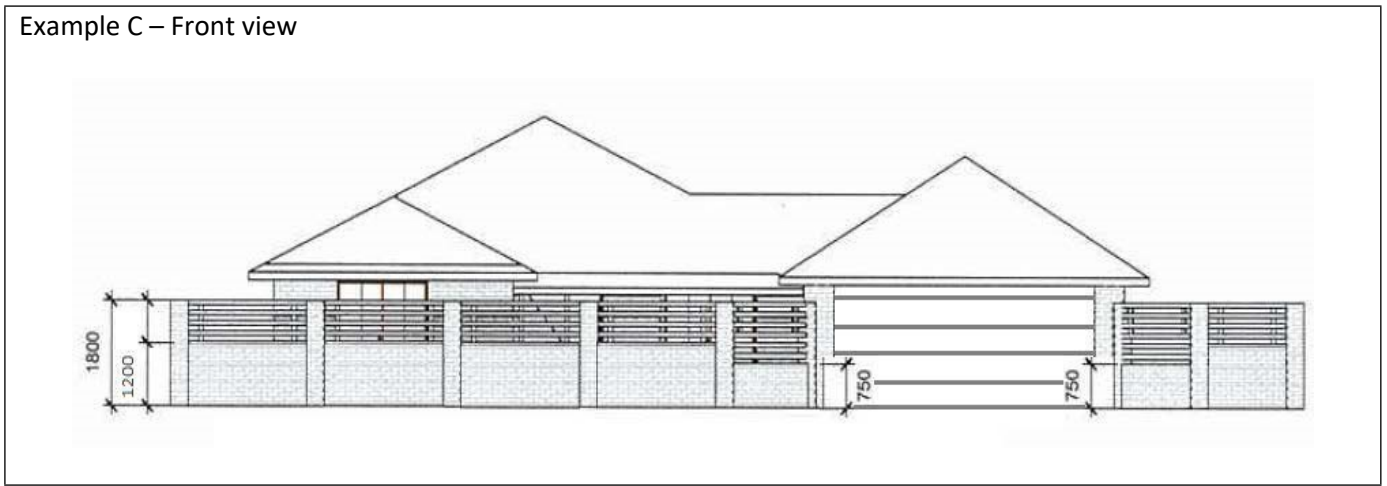
Example B - Aerial view of front fence being built around the truncation area



Example C – Aerial and street view of front fence extending inside the truncation area, solid portion reduced to 750mm, with a 350mm x 350mm pillar.



Example C – Front view



WHAT SHOULD I CONSIDER WHEN APPLYING TO VARY THE DEVELOPMENT REQUIREMENTS?

Where a front fence does not comply with the above deemed to comply criteria of the R-codes it will be required to be assessed against, and deemed to meet, the relevant design principles. When submitting a Development Application for a front fence justification in support of the discretion may be submitted as part of the development application and should address the following criteria –

- Will the proposed front fence preserve the visual amenity and streetscape character of the area?
- Will the proposed front fence be in keeping with the established development context?
- Will the proposed front fence have a detrimental impact upon street surveillance from the dwelling?
- Are there potential traffic impacts to the lot (eg the street is designated a primary or district distributor road) that require attenuation?
- Are there any other factors, such as noise and/or privacy between outdoor living areas and the primary street that require attenuation?

Please note that these requirements are for R-Coded areas only that are not subject to any other planning requirement, including but not limited to Special Control Areas. Development (planning) approval for fences may be required in certain areas that may have different requirements in design, or in some areas they may be precluded altogether.

Building Permit Requirements – Front Fence

| Type of Fence | Fence Specification | Building Permit Required? | |
|--|--|---|-----|
| Within the Front Setback (Front Fence) | Less than 750mm in height (any material) | No | |
| | Greater than 750mm in height | Timber, Tubular Steel, Steel Sheeting or Corrugated Fibre | No |
| | Brick, Stone, Concrete construction | | Yes |

| | | |
|---|---|--|
| <p>Behind the Front Setback (Dividing Fence)</p> | <p>Greater than 1800mm in height and/or brick, Stone, Concrete or Cement at any height.</p> | <p>Yes - Neighbours consultation must be carried out as required under the Dividing Fences Act</p> |
|---|---|--|

Dividing Fences

Any fences along a property boundary, other than the primary street boundary or within the primary street setback area (as specified in the R-Codes), are considered to be a ‘dividing fence.’ It is generally considered that a sufficient dividing fence should be 1.8m high from the lot with the higher ground level. It should be noted all dividing fence matters are of a civil nature and are required to be resolved by the affected landowners.

Please refer to the Dividing Fences Brochure published on the Building Commission website: <https://www.commerce.wa.gov.au/building-and-energy/dividing-fence-matters-overview>

*****Disclaimer** - this information sheet is a guide only. Verification with original Local Laws, Acts, the City’s Local Planning Scheme and other relevant documents is recommended for detailed references. The City of Busselton accepts no responsibility for errors or omissions.***

Info Sheet – Front Fences
Version 1 (Updated 11/8/22)