

Street Walls and Fences Information Sheet

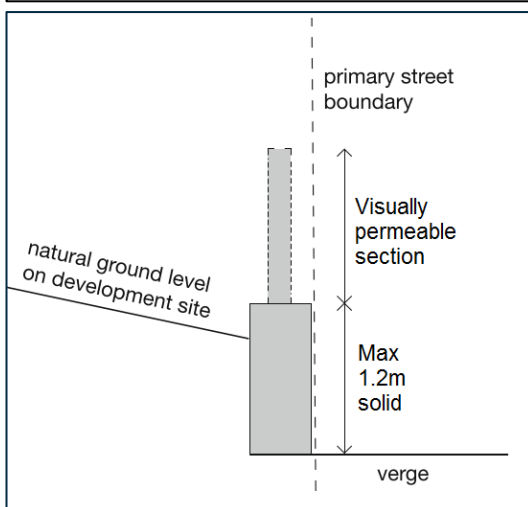
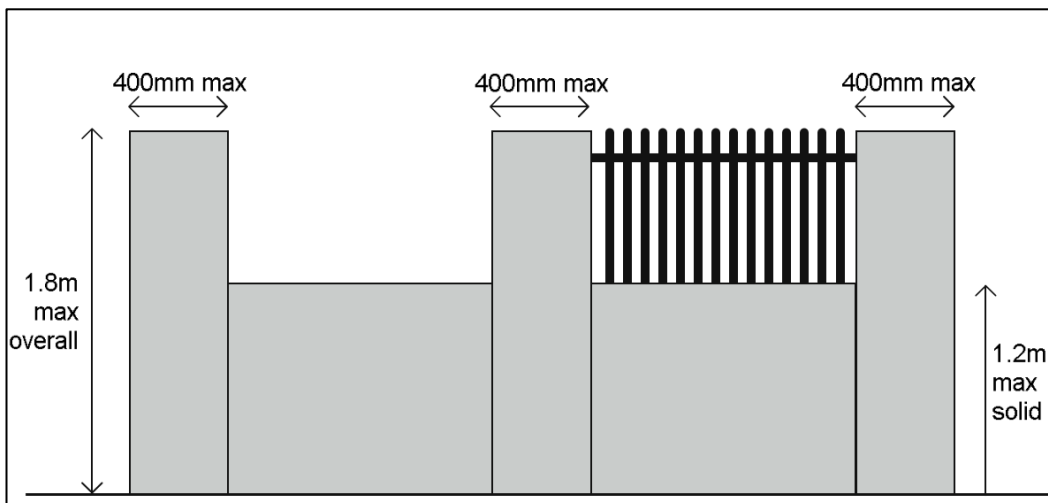
What is a street wall or fence?

A street wall or fence is considered to be a wall, screen or barrier that abuts a street boundary or is located in the primary street setback area (normally anywhere in front of a dwelling). This includes fencing on the side boundaries in the street setback area.

Do front fences require Development Approval (Planning Approval)?

Development approval for your street wall or fence is not required if it complies with the following:

- Solid portions of street walls or fences are permitted to a maximum 1.2 m high;
- Portions of street walls or fences above 1.2 m must be **visually permeable**;
- The overall height of the street walls or fence must be a maximum of 1.8m high;
- The horizontal dimension of the pillars or piers may not exceed 400mm by 400mm.



Street walls and fences are assessed against the Residential Design Codes – Volume 1 (R-Codes) as shown above.

Street walls and fences should ensure that they do not intrude into vehicle sight line areas.

What does ‘Visually Permeable’ mean?

‘Visually permeable’ is defined by the Residential Design Codes – Volume 1 as:

In reference to a wall, gate, door, screen or fence that the vertical surface when viewed directly from the street or other public space 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.

Gap Sizes Based on Slat Sizes		Slat Sizes Based on Gap Sizes	
Slats up to 50mm in size	Gap size equal to slat size or greater	Gap size less than 50mm	Slats would need to equal the gap size or be smaller
Slats between 51mm to up to 100mm in size	Gap size to 50mm or greater	Gap size of 50mm or greater	Slats may be up to double the gap size or smaller
Slats above 100mm in size	Gap size equal to half the slat size or greater		

The above requirements only apply to the primary street setback area of your property – which can be found using the table below:

Zoning	Street Setback Area
R10 / R12.5	7.5m
R20 / R25	6m
R30 / R40	4m
R50 / R60	2m
R80	1m

How do I find my zoning?

Your zoning can be found by entering your address into the [Address & Application Assistant](#) on the City’s website.

Zone	Residential R30
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What if I live in a Heritage Protection Area?

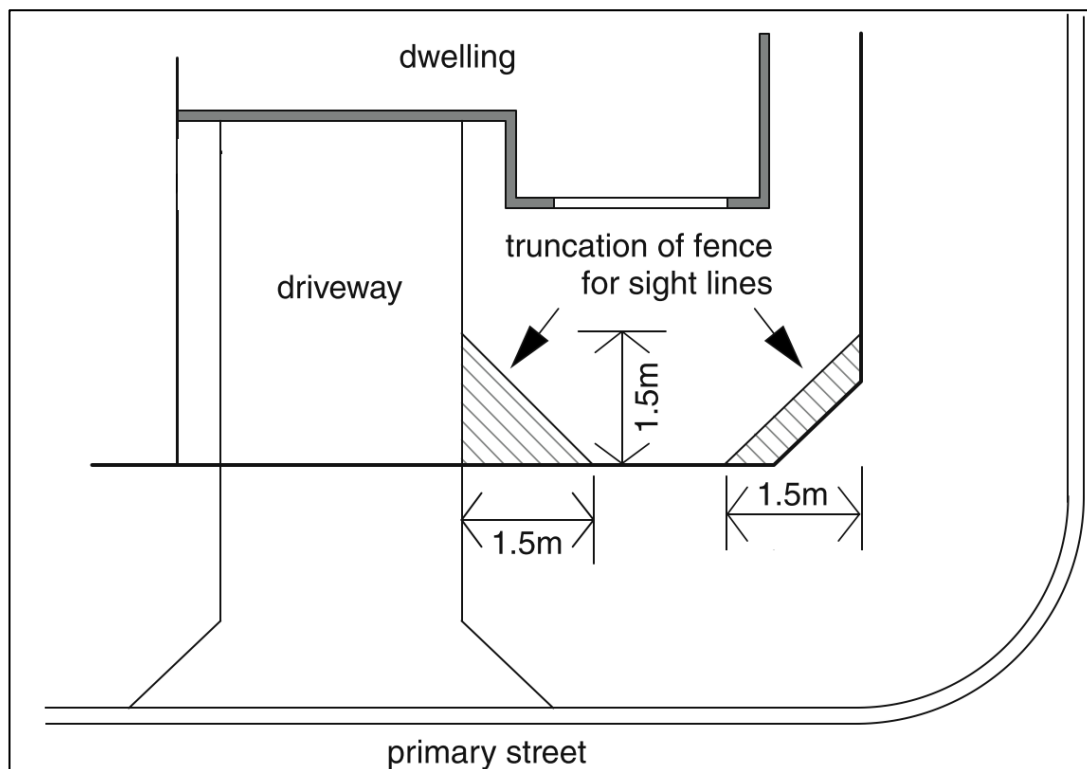
Mount Lawley, Menora and Inglewood make up the City's Heritage Protection Special Control Area (HPA). Local Planning Policy 3.1 Character Retention Guidelines Mt Lawley, Menora and Inglewood (LPP3.1), provide the requirements for street walls and fences in these areas. LPP3.1 can be found [here](#).

All street walls and fences in the HPA or on heritage listed properties require development approval.

Can I build my fence up to a driveway?

Yes you can. However, vehicle sightline areas must be maintained where your driveway intersects with the property boundary.

Street walls and fences can either be truncated so they do not protrude into the sightline area (shown hatched in the figure below). If the fence is proposed to be within the sightline areas, no part of the fence (including pillars or posts) may exceed 750mm in height.



What about pool fencing in the street setback area?

If a street wall or fence forms part of a Swimming Pool or Spa Safety Barrier (barrier), it must also comply with Australian Standard 1962.1-2012, the *Building Act 2011*, the *Building Regulations 2012* as well as the planning requirements contained in this information sheet.

To comply with building requirements, the barrier must:

- Be at least 1.8m high on the inside of the barrier; and
- Have a 900mm non-climbable zone on the inside, measured from the top of the barrier.

A Building Permit will be required for the barrier. More information can be found in the City's publication 'Pool and Spa Safety Barrier Guidelines' which is available on the City's website.

Do street walls or front fences require a Building Permit?

A building permit is required for any masonry street wall or fence higher than 0.75m. The City's Building Team are happy to provide guidance if you require any assistance to lodge a Building Permit with the City.

Do I need my neighbour's approval?

Neighbour's approval is not required to lodge a development application (planning approval) however, where proposed works involve replacement, alteration, or repair of a dividing fence, then the adjoining, affected landowner(s) consent is required, prior to undertaking any work. The landowner who proposes the work shall be responsible for obtaining the affected landowners consent, in accordance with the requirements of the *Dividing Fences Act 1961*.

If you have a strata-titled lot you may require a separate approval under the Strata-Titles Act. Please contact Landgate on 9273 7373 for further information in regards to Strata Titles

How long does the development application process take?

The City has 60 days in which to determine the application as stipulated in the *Planning and Development (Local Planning Scheme) Regulations 2015*. However, applications such as fences normally have a faster turnaround time.

Do these controls apply to walls and fences on the side boundaries?

Walls and fences behind the street setback area and those on side and rear lot boundaries are not subject to these requirements. The *Dividing Fences Act 1961* allows for matters related to dividing fences to be resolved as a civil matter between neighbouring owners. The Department of Building and Energy's [website](#) explains the process to negotiate with your neighbour, agree on costs and settle disputes.

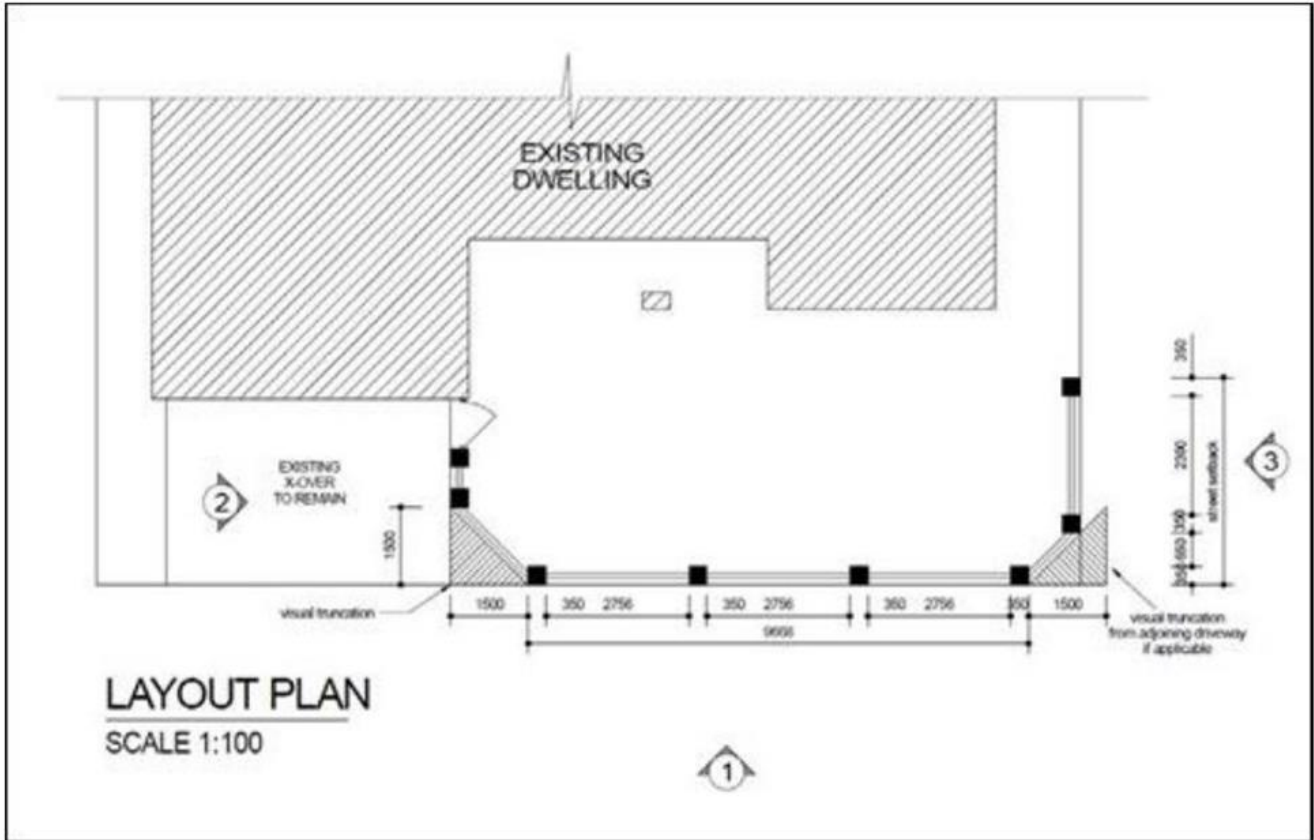
The City's [Fencing Local Law 2008](#) provides a definition of a "sufficient fence" for the purposes of the *Dividing Fences Act 1961*.

The Citizens Advice Bureau can provide legal advice and mediation services. More information is available on the City's and [Citizens Advice Bureau's website](#).

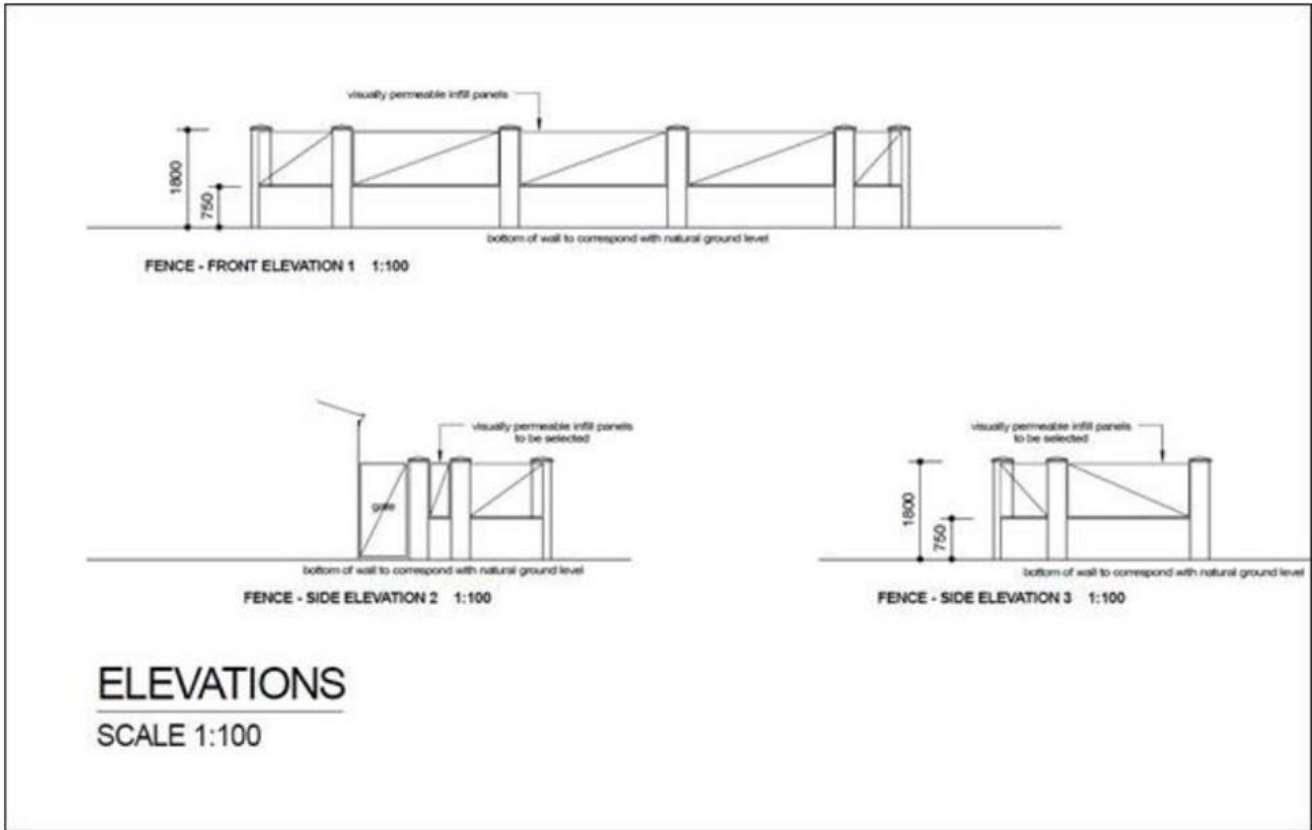
What information is required for a Development Application (Planning Approval)?

- 1) Completed Planning Application Form ([link here](#))
 - a) Signed by each owner of the property
- 2) Planning Application Fee
 - a) Please refer to the fee schedule to determine the relevant fee ([link here](#)).
- 3) Certificate of Title (issued within 6 months)
- 4) Site Plan – one copy – Scale 1:200 showing:
 - a) North Point
 - b) Lot boundaries
 - c) Existing dwelling and other structures on the lot
Refer to the example at the end of this document.
- 5) Elevation Plans – one copy – Scale 1:100 showing:
 - a) Front, side and rear elevations showing height, natural ground levels, visually permeable panels and all dimensions.
Refer to the example at the end of this document.
- 6) Additional Information (where applicable, such as a materials and roof colour for properties within the Heritage Protection Area.)

Site Plan:



Elevations:



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Disclaimer:

This information is produced by the City of Stirling in good faith and the City accepts no responsibility for any ramifications or repercussions for providing this information. Verification with the original Local Laws, Planning Scheme and other relevant documents is recommended for detailed references.