

## What is a front fence?

A "front fence" is any fence or wall located within the *primary street setback area*, or located in the area between the street alignment and the street setback line as set out in the R-Codes. In residential areas, front fences are required to satisfy the provisions of the Residential Design Codes Clause 5.2.4 Street Walls and Fences.

## R-Codes requirements

The R-Codes requires front fences which are low in height to maintain connectivity to the streetscape by permitting street surveillance and enhancing the visual amenity of the area. 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.

### FRONT FENCE APPROVAL REQUIREMENTS

Location	Height	Type	Planning	Building
Within the front setback (front fence)	< 750mm	Visually permeable fencing (material other than masonry)	x	x
		Solid fencing (non-permeable material)	x	x
	< 1200mm	Visually permeable fencing (material other than masonry)	x	x
		Solid fencing (non-permeable material)	x	✓
	> 1200mm	Visually permeable fencing (material other than masonry)	x	x
		Solid fencing (non-permeable material)	✓	✓

#### Notes:

- Visually permeable fencing includes timber slats, aluminium slats, etc. Solid fencing includes masonry, stone, concrete, etc.
- Exemptions do not apply to heritage listed places or properties within a heritage precinct.

## 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:

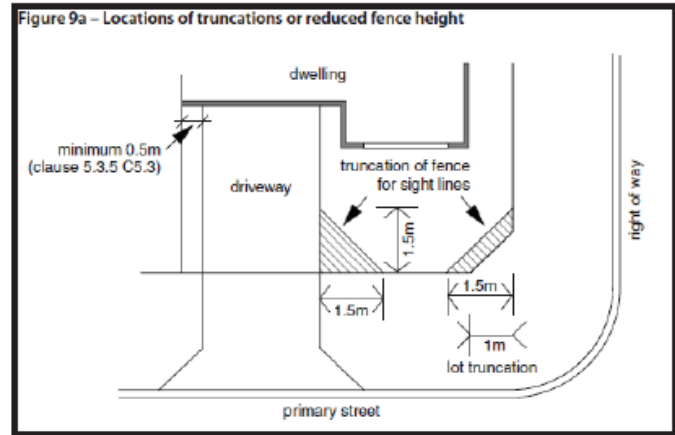
- continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area;
- continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or
- a surface offering equal or lesser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

as viewed directly from the street.

## 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 350mm x 350mm 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.

Front 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?

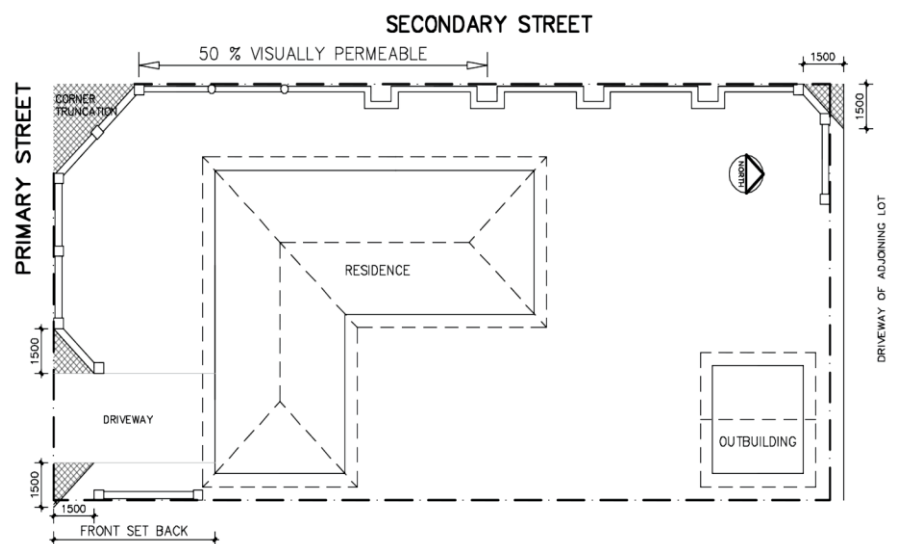
Yes. In addition to the minimum planning and building requirements, you will need to comply with AS1926.1 Swimming pool safety.

## SECONDARY STREET FENCES

A secondary street fence is a wall, screen or barrier that abuts a street boundary that is not the primary frontage but which intersects with or adjoins that road, a right-of-way or battleaxe leg.

### What are the requirements?

Secondary street fences must be visually permeable above 1.2 metres from natural ground level for 50% of the length of the street boundary, right of way or access leg and shall allow surveillance from an outdoor living area and/or major opening (window to habitable room).



## FENCING IN OTHER ZONES

### Rural Residential, Rural Smallholding and Rural Zones

All fencing, including electrified, within these zones must be constructed using posts and wire not exceeding 1.5 metres in height on a road frontage in accordance with the Shire of Northam Fencing Local Laws. Solid fencing (i.e. colorbond, masonry) is not permitted.

### Commercial Zone

Fences are not permitted to be erected forward of the building line on a commercial lot. Dividing and rear fences are to comply with the requirements of the Shire of Northam Fencing Local Laws as described below for the industrial zones.

### Light and Service Industry and Industry Zones

A 'sufficient fence' in this zone is defined by the Shire of Northam Fencing Local Laws as a fence constructed of galvanised or PVC coated rail-less link mesh, chain mesh or steel mesh a maximum of 2.4 metres in height.

### LOCAL LAWS

The Shire of Northam Fencing Local Laws specify the requirements for sufficient fencing of properties within the Shire, including location, height and materials. A copy of the Laws can be downloaded at <https://www.northam.wa.gov.au/documents/shire-of-northam-local-laws>.

### 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 Shire of Northam Local Laws and the *Dividing Fences Act 1961*.

The Building Commission can provide general advice regarding dividing fences legislation. Further information is available on their website at <https://www.commerce.wa.gov.au/building-and-energy/dividing-fences-0>.

### VARIATIONS TO REQUIREMENTS

If a front or secondary fence does not meet the requirements of the R-Codes or the Shire's Fencing Local Laws, a development application can be lodged to request for a variation.

### 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.



#### Where do I find more information?

Further information can be obtained from the Shire's Website  
Click on this link: [www.northam.wa.gov.au](http://www.northam.wa.gov.au)

Phone: Planning Services Department on 9622 6100  
Email: [records@northam.wa.gov.au](mailto:records@northam.wa.gov.au)

The information contained in this brochure is intended as a guide only. It is recommended that the advice and assistance of the Shire's Planning Services Department be sought prior to lodgement of a Development Application. The Shire of Northam disclaims any liability for any damages sustained by a person acting on the basis of this information.