Title	**FENCING**
Policy Number (Governance Purpose)	**LPP 5.25**

Policy Type

Local Planning Policy

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) 5.25.

Introduction

Fencing can have impactful consequences to streetscape character and neighbourliness. Fencing adjacent to the public realm contributes to the amenity of an area. The design of a fence influences passive surveillance, opportunities for natural supervision of the street and overall community safety through *crime prevention through environmental design* (CPTED) principles. Planning controls are required to provide clarity on fencing types and objectives for fencing development within the City of Cockburn.

'*Dividing Fences*' are exempt from requiring development approval as construction is prescribed by the City's *Fencing Local Law* (as amended). Disputes between neighbours relating to '*Dividing Fences*' pursuant to the *Dividing Fences Act 1961* is a civil matter between neighbours. More advice on this process is provided by the Department of Local Government, Industry Regulation and Safety.

'*Uniform Fences*', '*Street Fences*' and '*Boundary Fences*' are, in contrast to '*Dividing Fences*', a matter regulated by statutory planning, and may require development approval from the City.

This local planning policy provides guidance on consistent decision-making relating to fencing proposals, where a development application is required. The policy also provides clarification on acceptable material types, intended to assist in addressing community expectations around the character of their suburbs.

For the purpose of this policy, fencing types are defined below:

1. **Street Fences** - fences located along the primary street frontage, including side fences within the street setback area, of an individual lot and visible from the public realm, forming part of the streetscape presentation of a single property.

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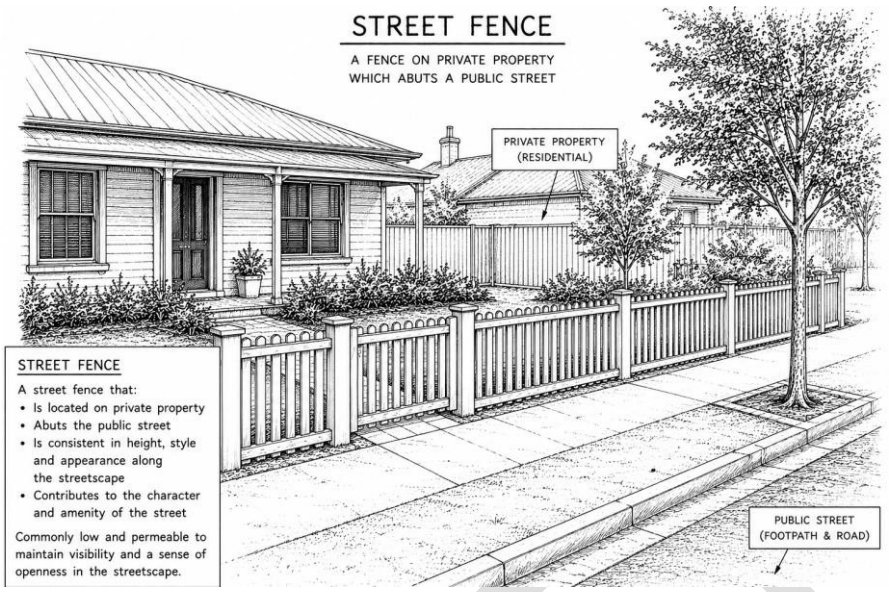
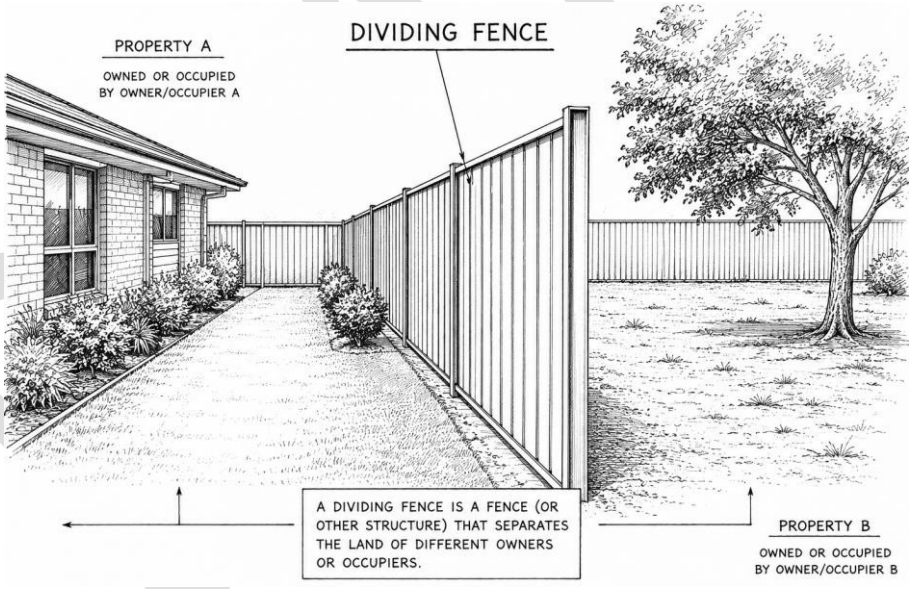


2. **Dividing Fences** - side boundary fences shared by two neighbouring properties. Controlled by the Fencing Local Law and the *Dividing Fences Act.* Does not require development approval.



3. **Uniform Fences** - fences located along the boundary of multiple lots adjoining the public realm (such as secondary streets and public open space). Uniform fences are established to provide consistent and coordinated fencing treatment, initially installed by a developer or subdivider as part of an approved subdivision or development application.

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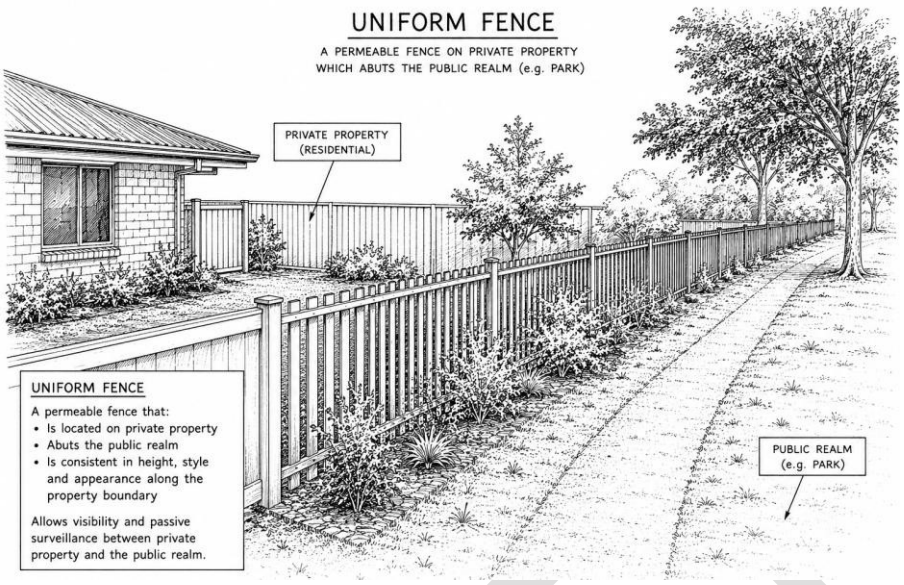
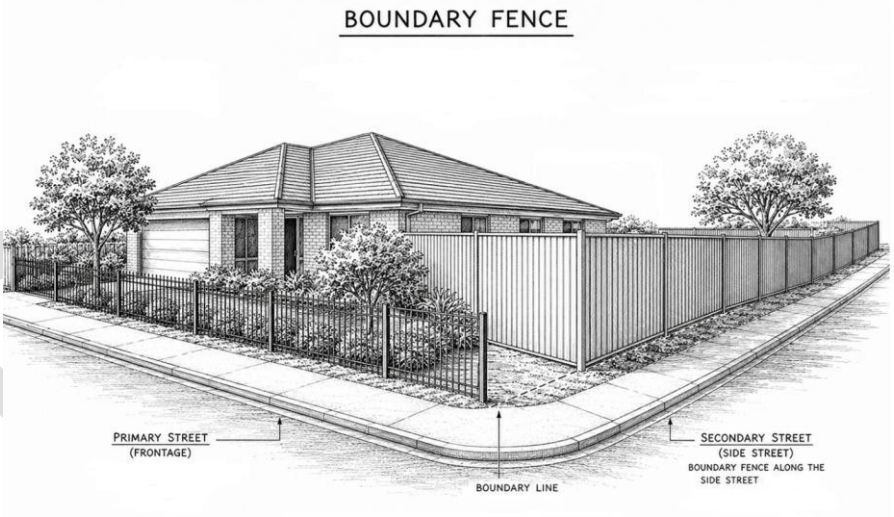


4. **Boundary Fence** - fences located along or near the boundary of an individual lot adjoining a secondary street, public open space, reserve, right-of-way, or other public realm interface, other than the primary street.



Objectives

- To provide clear guidance to applicants so they can confidently proceed with fencing development and obtain consistent advice from the City.
- To provide clear guidance on the assessment of fencing proposals so the City and Council can ensure consistent decision-making.
- To ensure street fencing is considerate to the character of an area.

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- To balance passive surveillance with privacy and noise considerations through appropriate fencing selections.

Application

This policy applies to the development of street, boundary and uniform fencing on land capable of residential development pursuant to *Town Planning Scheme No.3* (TPS3).

This policy does not apply where fencing requirements are specified within an approved Local Development Plan.

This policy does not apply to 'Dividing Fences' pursuant to the City's *Fencing Local Law* under the *Dividing Fences Act 1961*.

Policy Provisions

(1) Exemptions from the requirement to obtain Development Approval under the Planning and Development Act.

i. All Dividing Fences.

ii. Development which is classed as exempt pursuant to Clause 61 of *Planning and Development (Local Planning Scheme) Regulations 2015,* unless otherwise identified as requiring approval pursuant to this policy.

a This includes any residential front fences that are consistent with the deemed-to-comply provisions of the R-Codes.

iii. Uniform Fencing which is required as a condition of subdivision approval, where details will be submitted as part of civil engineering drawings as part of subdivision clearance and will be constructed consistent with Clause 6 of this policy.

iv. Boundary Fencing along the secondary street which is constructed of sufficient fencing materials pursuant to the *Fencing Local Law* and is no greater than 1.8m in height.

v. Street Fencing in the Rural, Rural Living and Resource Zones, where the development complies with Clause 4 of this policy.

vi. All Entry Statements, where they meet the requirements of this policy.

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(2) Local Character Provisions

Development is to have due regard to the established local character and streetscape of the area, including the following considerations:

i. The objectives of the applicable zone under Town Planning Scheme No. 3 and the City's Local Planning Strategy, including intended future character (where applicable).

ii. The degree of openness and visual permeability of the existing streetscape.

iii. The prevailing streetscape character and whether the development will positively or negatively contribute to that character.

iv. **Rural** and **Resource** zoned land is characterised by low-density development, open landscapes, generous setbacks and built form that complements the rural setting without creating excessive visual bulk, while supporting environmental values, rural lifestyle land uses and (for the Resource Zone) the protection of underground water resources.

v. **Rural Living** zoned land is characterised by low-density residential development on large lots, with built form and fencing treatments that may be more typical of residential areas, while still maintaining a spacious semi-rural character.

vi. **Residential** zoned land is characterised pursuant to *Local Planning Policy 1.2 Residential Design Guidelines.*

vii. In **Rural** and **Resource** zoned land, a presumption of support will be given to materials sympathetic to rural character, such as:

- Rammed earth
- Gabion and stone walls
- Coffee rock
- Masonry materials with either face brick or a light or cream rendered finish
- Wrought iron and or decorative steel

(3) Exercise of Discretion

The City may consider variations to the provisions of this Policy where it is satisfied that the proposed development responds appropriately to the site context and achieves the overall objectives of this Policy, including in the following considerations:

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i. Where additional privacy is required for private open space and no alternative private open space area is available on the lot.

ii. Where fencing is necessary to mitigate traffic noise impacts, particularly for properties adjoining higher-order or high traffic volume roads.

iii. Where a swimming pool or spa is located within the front setback area of the property.

iv. Where innovative or high-quality construction materials and design elements contribute positively to the streetscape and built form outcomes.

v. Where natural ground levels, retaining, or site constraints influence the practical application of fencing height or material requirements.

(4) Street Fencing Design Principles

i. Development in the **Residential Zone** shall comply with the design principles of the *Residential Design Codes* (R-Codes), unless the City exercises its discretion against Clause 3 of this policy.

ii. Development within the **Rural** and **Resource** zones shall have regard to the rural character and environmental values of the locality, in accordance with the following:

a. Solid fencing is not permitted.
b. Colorbond® steel (or similar), ring-lock/cyclone, super-six/fibro cement and twin-side post and panel fencing are not permitted.
c. Fencing is to comprise rural or open-style materials, including timber post and rail, wire, or similar visually permeable (as defined by the RCodes) construction materials.
d. Fencing is to be designed and constructed to complement and integrate with the surrounding landscape character.
e. Fencing should allow, where practicable, for the movement and passage of native wildlife.

iii. Development within the **Rural Living** zone shall maintain an open and semirural streetscape character in accordance with the following:

a. Front fencing may be solid to a maximum height of 1.2 metres, with any portion above 1.2 metres up to a maximum height of 1.8 metres to be visually permeable.

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b. Solid front fencing adjoining vehicle accessways is to be truncated, splayed, or otherwise designed to maintain safe sightlines for vehicles and pedestrians.

(5) Boundary Fencing adjacent Public Open Space

i. All boundary fencing abutting public open space (parks and recreation reserves) requires development approval, unless replacing 'like for like' or minor maintenance.

ii. Fencing abutting public open space shall generally be open-style with portions of solid fencing permitted to screen some areas for privacy purposes.

(6) Uniform Fencing

i. Where subdivision or development proposals abut public open space, drainage reserves, pedestrian access ways, regional roads or other roads of district importance or any other public place, uniform fencing shall be installed.

ii. For subdivision proposals, the City shall recommend to the Western Australian Planning Commission (WAPC) that a condition be imposed on subdivision approvals (where applicable) requiring the applicant/landowner to construct uniform fencing in accordance with this policy.

iii. For development proposals, the City shall request fencing details during assessment, or if appropriate, condition further details to be provided, to ensure consistency with this policy.

iv. Where considered appropriate, uniform fencing should incorporate gates that open onto the public realm, provided the gates are self-closing.

v. Uniform fencing shall generally be consistent in height, materials, design and appearance along its length.

vi. Any proposed modifications to existing uniform fencing require development approval and should generally comply with the following:

a. Materials and colours are to complement the existing fencing.
b. Fence heights are to remain generally consistent with the existing fencing.
c. The proposal can demonstrate a high level of visual amenity, high durability and adequate passive surveillance (where appropriate).

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vii. The following **general uniform fencing standards** apply:

a. Uniform Fencing shall generally be a minimum height of 1800mm above Natural Ground Level excluding retaining walls.

b. Where fencing is located on top of, or in conjunction with, a retaining wall, the combined height of the retaining wall and fencing shall not exceed 1800mm above natural ground level unless otherwise approved by the City.

c. Proposals for combined retaining wall and fencing exceeding 1800mm will be assessed having regard to visual impact, streetscape compatibility, overlooking, and bulk and scale.

d. Uniform fencing shall be constructed of limestone, brick, masonry or other durable materials approved by the City. Uniform fencing using modular construction may be considered provided that the wall presents a rendered or similar finish and it can be demonstrated that the repair and maintenance requirements of such a wall is satisfactory to the City.

e. Colorbond® steel (or similar), ring-lock/cyclone, super-six/fibro cement and twin-side post and panel fencing are generally not supported where uniform fencing is required.

f. Where uniform fencing requires visually permeable infill panels, such panels shall be constructed from wrought iron, steel, aluminium, or other durable materials as determined by the Local Government.

g. Timber infill panels are generally not supported due to higher maintenance requirements and reduced durability compared to metal alternatives.

h. Visually permeable infill panels shall generally be provided above 1.2m above natural ground level and shall comply with the definition of ‘visually permeable’ contained in the R-Codes.

i. Notwithstanding the above, visually permeable infill panels below 1.2m above natural ground level may be considered where it can be demonstrated that streetscape outcomes are enhanced; and safety, surveillance, and visual permeability are not compromised.

j. Uniform fencing piers shall be a maximum of 300mm above the fence line and provided at any interval of not more than 7.5m for limestone, brick or masonry and 6m for all other fences.

k. Fencing which may impede visual sightlines and pedestrian /or vehicular movement is required to be no higher than 750mm within 1.5m of a vehicle crossover.

l. Any solid uniform fencing shall be treated with non-sacrificial graffiti protection to the City’s satisfaction.

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m. The following general uniform fencing standards apply when abutting Primary and Other Regional Roads and Railway Reserves:

- Uniform fencing abutting regional roads and railway reserves may be required to provide additional elements to satisfy noise attenuation measures in order to comply with State Planning Policy 5.4 '*Road and Rail Transport Noise and Freight Considerations in Land Use Planning'*.
- Uniform fencing abutting regional roads and rail reserves shall generally be of solid construction without visually permeable infill panels.

n. Extensive portions of solid uniform fencing shall be suitably broken up with different materials/textures/landscaping to provide visual relief.

o. Uniform fencing abutting local roads shall generally be of solid construction but may in some instances be required to provide visually permeable infill panels to promote passive surveillance depending on the location and traffic associated with the road.

p. Uniform fencing abutting POS shall provide visually permeable infill panels to promote passive surveillance. Minor portions of solid uniform fencing may be permitted to screen some areas of residential land including drying areas. Pedestrian access gates (and stairs if required) are encouraged to be constructed as part of the uniform fencing between residential lots and POS to encourage use of the POS by the adjoining residents.

q. Uniform fencing abutting PAWs shall generally be required to provide visually permeable infill panels to promote passive surveillance of the PAW. Minor portions of solid uniform fencing may be permitted to screen some areas of residential land including drying areas.

(7) Entry Statements

In considering proposals for entry statements, the following considerations will be made:

a) Entry Statements will be permitted within three (3) metres of a vehicle entry point, provided vehicle sightlines (via a 1.5m by 1.5m truncation) are maintained.

b) Entry Statements may be made of an alternative material to the front fence and are not subject to the same permeability requirements.

c) Entry statements consisting of Colorbond® will generally no be supported.

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(8) Pool Barriers

i. All swimming pools require a pool barrier to be installed pursuant to the Building Act 2011 and the City shall prioritise pool safety over all other considerations.

ii. The City recognises that swimming pool and spa safety barriers are an important safety requirement and must comply with the Building Act 2011, Building Regulations 2012 and applicable pool safety barriers standards

iii. A development application is required for all fencing on the front boundary, or primary street setback area, where a private swimming pools/spa is installed within the primary street setback area and the street fence is intended to act as a safety barrier.

iv. Where a swimming pool or spa is located within the primary street setback area, abuts a public open space, a reserve or is subject to specific fencing requirements under a Local Development Plan, and a street fence, boundary or estate fence is required to form part of the pool safety safety barrier, the City may support variations to the applicable street fencing requirements where the variation is necessary to achieve pool barrier compliance.

v. Such variations will generally only be supported to the minimum extent necessary with consideration given to streetscape, visual permeability, passive surveillance and residential amenity.

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Strategic Link:	Town Planning Scheme No.3
Category	Planning – Town Planning & Development
Lead Business Unit:	Statutory Planning – Development Services
Public Consultation: **(Yes or No)**	Yes
Adoption Date: (Governance Purpose Only)	10 November 2026
Next Review Due: (Governance Purpose Only)	November 2028

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