

This information sheet aims to clarify the Building Regulation height and design requirements for front fences on residential properties within Manningham. The Building Regulations apply to residential properties with only one dwelling and with a minimum allotment area of 500m<sup>2</sup>.

This information sheet does not apply if a Planning Permit is required to construct a front fence. A Planning Permit is required for a front fence associated with one dwelling on a lot less than 500m<sup>2</sup>, and for front fences associated with two or more dwellings on a lot (multi unit developments).

Contact Council's Planning Department on 9840 9470 for further information on the relevant planning requirements.

### Building Regulation 424 and Schedule 5- Front fence height, one dwelling on the lot

The height of a fence, or part of a fence, that is within 3m of the street alignment at the front of an allotment must not exceed the following maximum height restrictions.

Max Fence Height	Property location / Zone
1.2m	General Residential Zone 1 (GRZ1 – Schedule 5 of the Building Regulations)
1.5m	Residential lots greater than 500m <sup>2</sup> (other than lots within a GRZ1 or lots fronting declared roads).
2.0m	Lots situated on declared roads. Refer to the map of Declared Roads below or the following link for details <a href="http://maps.vicroads.vic.gov.au/website/declared/main.htm">http://maps.vicroads.vic.gov.au/website/declared/main.htm</a>

### Vic Roads Declared Roads



The report and consent of the relevant council must be obtained to a front fence design that does not comply with the above height restrictions. Refer to “Request for Council Report and Consent” application form for details.

### **Decision Guidelines that apply to General Residential Zone 1 (GRZ1) - Precinct 1**

The following guidelines and Municipal Strategic Statement applies to a request for a front fence to exceed 1.2m within a GRZ1: -

*Municipal Strategic Statement - Clause 21.05*

*Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads*

*This precinct applies to the areas that are removed from activity centres (shopping centres) and main roads. An incremental level of change is anticipated in Precinct 1. The future development vision is to encourage development that reinforces existing front and rear setbacks and site coverage to provide opportunities for landscaping and retain areas of open space. Accordingly, this precinct will encourage a less intense urban form. Whilst the design of future dwellings may vary from the existing built form, dwellings in this area will need to provide increased open space for the planting or retention of trees and associated landscaping. The prevailing character of low front fences, retaining walls or the absence of front fences will also be encouraged.*

#### 54.06-2 Front fences objective

*To encourage front fence design that respects the existing or preferred neighbourhood character.*

#### Standard A20 - Decision guidelines

*Before deciding on an application, the responsible authority must consider:*

- *Any relevant neighbourhood character objective, policy or statement set out in this scheme.*
- *The design response.*
- *The setback, height and appearance of front fences on adjacent properties.*
- *The extent to which slope and retaining walls reduce the effective height of the front fence.*
- *Whether the fence is needed to minimise noise intrusion.*

### **The following Decision Guidelines apply to all other residential lots**

*Minister’s Guideline MG/12 - **Front Fence Height***

#### **Objective**

*To ensure front fence design respects the existing or preferred character of the neighbourhood.*

#### **Decision Guidelines**

*The reporting authority may give its consent to an application for a building permit for a fence, which does not comply with regulation 424 of the Building Regulations 2006, if –*

- (a) the fence will be more appropriate taking into account the prevailing heights, setbacks and design of existing front fences on nearby allotments; or*
- (b) the slope of the allotment and or existing retaining walls or fences reduce the effective height of the wall; or*
- (c) the fence is required for the minimisation of noise intrusion; and*
- (d) the fence height will not result in a disruption of the streetscape; and*
- (e) the fence height, setback and design are consistent with any relevant neighbourhood character objective, policy or statement set out in the relevant planning scheme.*

An application to seek approval for a higher fence will need to include information to demonstrate compliance with the above relevant **Guidelines and / or Strategic Statements**.

### Existing or preferred character of the neighbourhood

Front fences exceeding maximum height restrictions should not be provided unless the proposed height and design of the fence is consistent with 50% or more of the immediate neighborhood. That is, the design, style, materials and height of a front fence should reflect the common characteristics of the immediate neighbourhood.

### What constitutes the immediate neighbourhood?

Immediate neighbourhood is generally considered to be the five properties on either side of the proposed development on both sides of the street.

Note: Side fencing of a corner allotment is not considered part of the front fence preferred character assessment. Side fences are exempt from the front fence height restriction.

### Summary table of alternative front fencing height, transparencies and setbacks, subject to approval.

Lot Zone / location	Max height required by regulation 424, schedule 5, or Planning Scheme	Where site assessment reveals 50% or more of front fences in the immediate neighbourhood are as follows, the adjacent alternative design will be considered	Alternative design, subject to approval. The specified setback allows for landscaping to allow softening of solid walls with vegetation.
General Residential Zone 1 (GRZ1)	1.2m	<u>50% or more fence are:</u> - Height, Transparency, Setback	<u>Alternative design consideration</u> Height, Transparency, Setback
		>1.2m, 50%, 0.0m →	1.5m, 50%, 0.0m
		>1.5m, solid, 0.0m →	1.5m, solid, 1.0m
		>1.5m, solid, 0.0m →	1.5m, solid or 50%, 0.0m
All other residential lots, other than GRZ1 and lots situated on declared roads.	1.5m	>1.5m, solid or 50%, 0.0m →	1.8m, 50%, 0.0m
		>1.8m, solid, 0.0m →	2.0m, solid or 50%, 1.0m
Lots situated on declared roads	2.0m	>2.0m, solid or 50%, 0.0m →	n/a