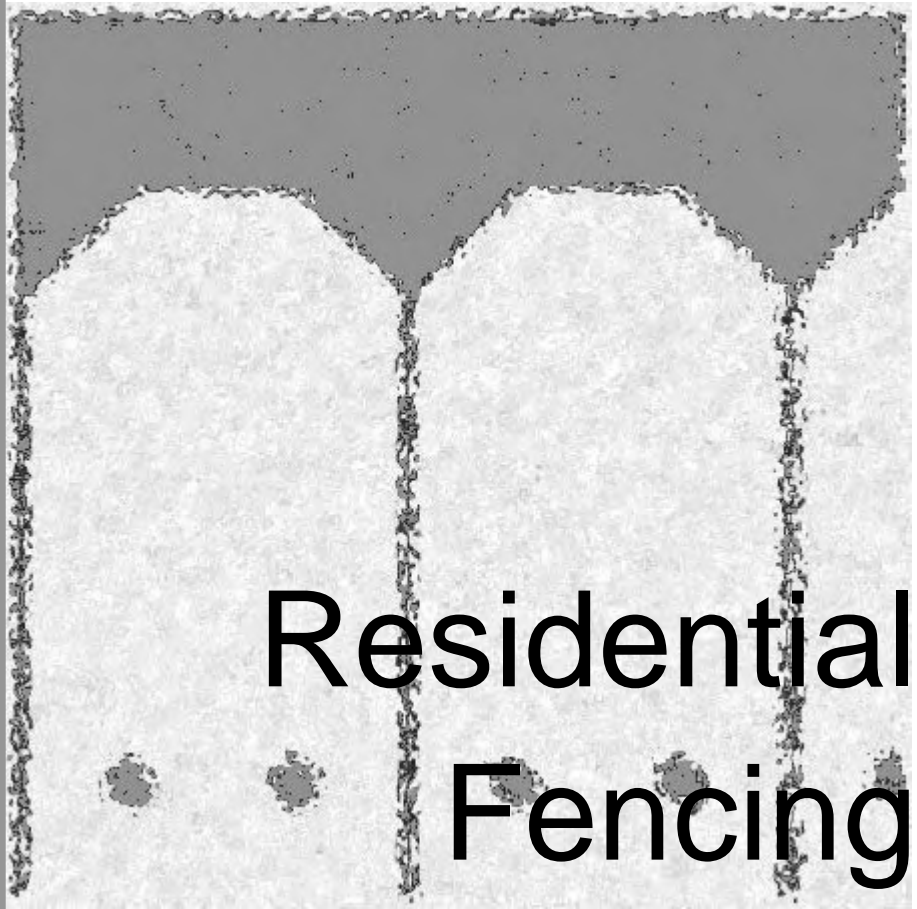


Development Control Plan



Residential Fencing

Sutherland
Shire
Council



9.2/02
edition 8

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1. Where does the Plan apply ?

This plan applies to the fencing for all single lot residential dwellings on all land in the Sutherland Shire to which the following plans apply:

- (a) Sutherland Shire Local Environmental Plan 2000,
 - (b) Sutherland Shire Local Environmental Plan – Menai Town Centre 1992,
 - (c) land at Sandy Point administered under the County of Cumberland Planning Scheme being Sandy Point Suspension Area, and
 - (d) Sydney Regional Environmental Plan No.17 - Kurnell Peninsula (1989),
- unless a site specific Development Control Plan applies.

The areas of Woronora Heights and suburbs west of Woronora, have requirements that differ from those of the rest of the Shire (eg: No fencing forward of the building line). These differing requirements are nominated separately throughout this plan.

2. What is the purpose of the Plan?

The purpose of the plan is to provide appropriate objectives and requirements for the design and construction of fences within the Shire.

3. Can this Plan be varied?

Objectives and standards have been set for all aspects of the plan. Each application will be considered on the individual circumstances and merits of the case in terms of the achievement of the objective stated. The standards are the guidelines to achieving the stated objectives and an applicant may request a variation to any standard, provided the objectives are still achieved.

Any submission in support of a variation to this standard must be in writing and demonstrate an ability to achieve the objectives.(refer to Council's "Guideline to Seek a Variation to a Standard").

4. Making a development application

An application is required to be submitted to Council for any proposed structure unless exempted from the need for approval or deemed as complying development under the Local Environmental Plan applying to the site.

To ensure the future application is complete and will address all relevant matters, intending applicants may consult directly with Council's Application Assessment Staff prior to preparing any detailed plans.

Pre application consultation with council staff can assist in the time taken to assess applications and reduce amendments required to applications.

An application shall consist of:-

- A minimum of three copies of plans and specifications;
- A written application on Council's Combined Development/Construction Certificate Application Form;
- Fees;
- Notification plans.

The Plan shall indicate:-

- A block plan showing boundaries of the site, vehicular access, existing structures on site, north point and, easements if any . The relationship of the fence to boundaries, adjacent buildings and any existing trees either on or off site and substantial natural features.
- Proposed landscaping including species and height at maturity (front fencing);
- All elevations of the fence, accurate ground levels and dimensions (including colours) and materials.
- A section showing fence construction detail including footings; (note: structural engineers detail may be required).
- Where applicable manufactures details may be provided to assist assessment of the application.

5. Public notification

Before considering an application for development, Council must advertise or notify in accordance with Council's adopted DCP for Notification of Development Applications. Council will advise adjoining property owners and those who, in the Council's opinion, may be affected by the proposed development should it proceed.

Those notified are invited to comment within 14 days, or 28 days if the advertising occurs during December.

Proposals must also be advertised in the local press for comment within the same 14 or 28 day period. An advertising fee is required to be paid at lodgement of development applications.

In assessing and determining an application, Council will take into account matters raised in any submission received.

6. When is an application required?

A development application and construction certificate application is required for fences in the following situations:

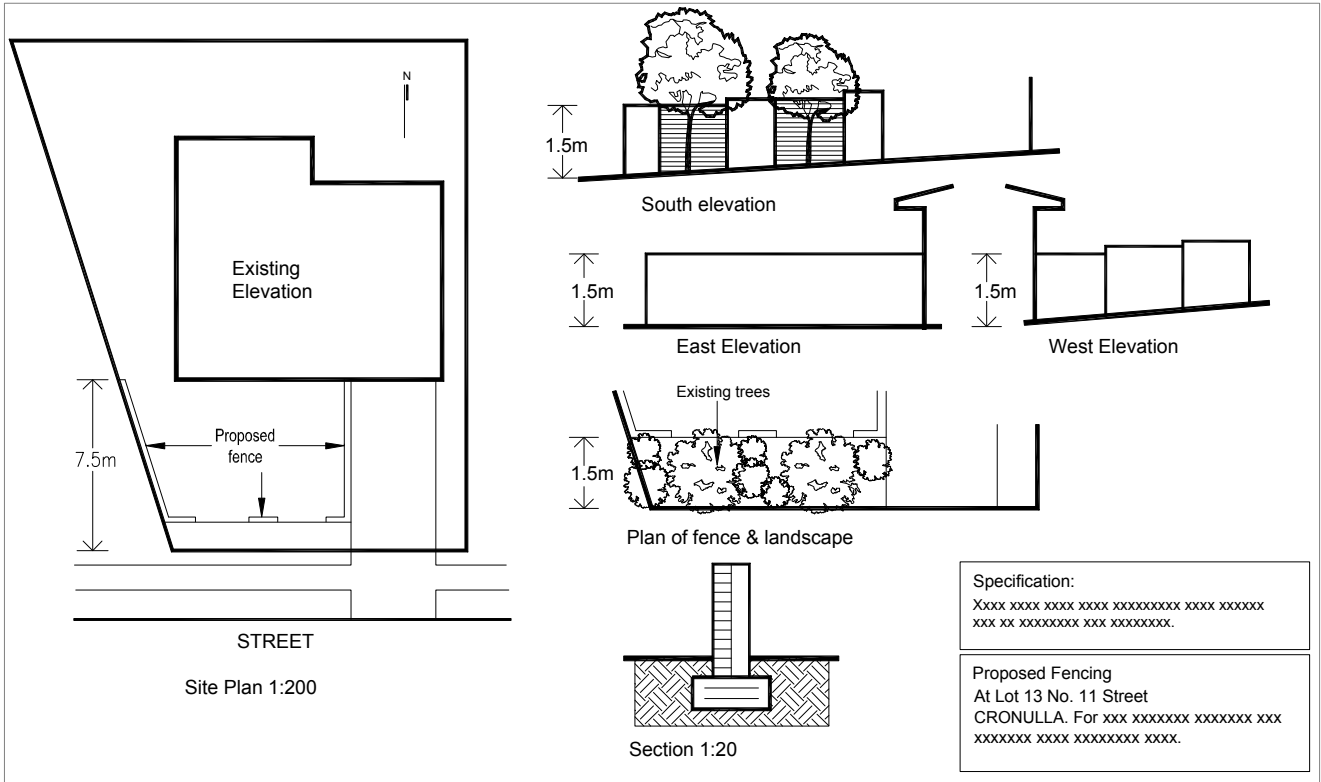
- a) Fences over one metre in height and erected forward of the 7.5 metre building line to any street; (See Note(1))
- b) Fences facing onto any public place;
- c) All fences located between the foreshore building line and mean high water mark.
- d) Masonry or brick fences and retaining walls over 600mm high in all situations. (See Note(1))

Note:

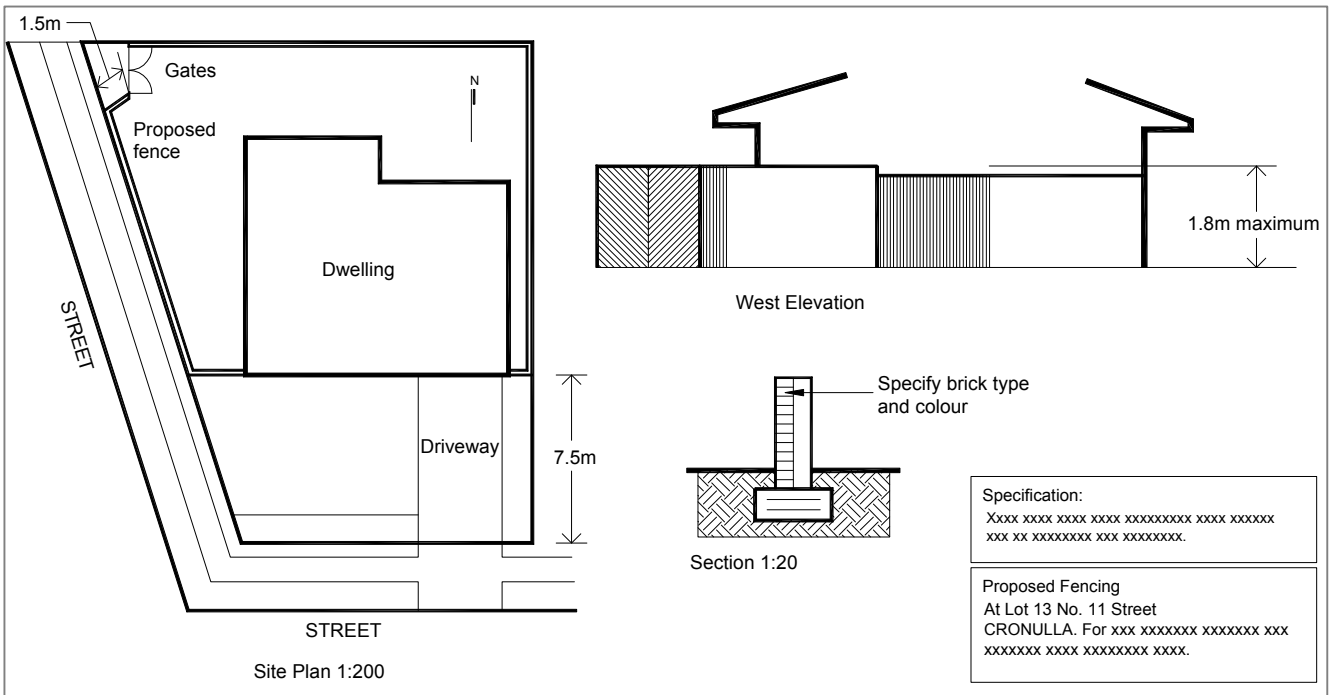
- (1) Front fences are not usually permitted in the areas of Woronora Heights, Sylvania Waters and Bonnet Bay and suburbs west of Woronora (as detailed in this plan or as a Restrictive Covenant on the Land Title).
- (2) Fencing and retaining wall details may be submitted with plans for construction of a new dwelling to obviate the need for a separate application.
- (3) Common boundary fencing in all zones located behind the building line, constructed of light weight material to a maximum height of 1.8m do not require Council consent however, prior to construction of any common boundary fencing owners should make themselves aware of their responsibilities under the provisions of the Dividing Fences Act.

The **replacement** of timber fences on secondary frontages (side boundaries) of corner blocks that do not exceed 1.8 metres in height and do not extend forward of the dwelling will **not** require an application.

These fences should be stained and should preferably be of lapped and capped construction.



Typical Plan: Development Application Front Fence (Note areas excluded under Clause 8.)



Typical Plan: Development Application (Secondary Street Frontage)

7. General requirements

7.1 Primary objectives

- To ensure that the impact of fences on the streetscape and public places is minimised.
- To ensure that the safe movement of vehicles and pedestrians is not impaired at gateways and street intersections.
- That existing drainage easements are not adversely affected or impeded.

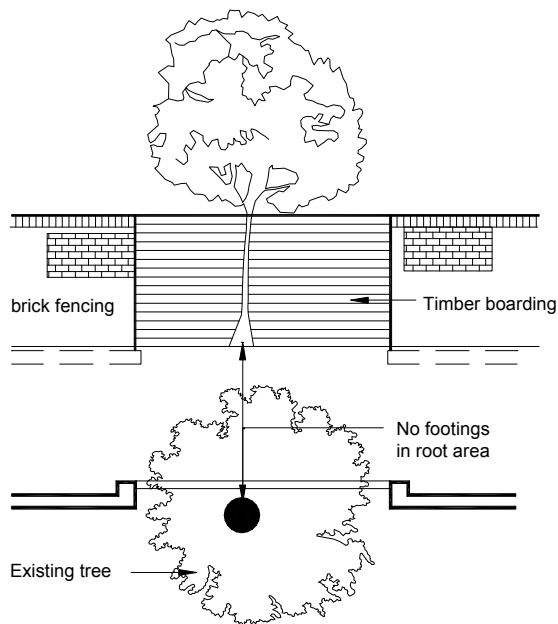
7.2 Materials and colours

Materials shall be in keeping with surrounding buildings and fences. Colours shall blend with the **natural** and built surroundings.

7.3 Planting

Where fences are required to be set back from the boundaries of the site, planting shall be provided with species capable of reducing the visual impact of the fence (i.e. height at maturity shall be at least equal to the height of the fence).

All existing trees subject to Council's adopted Tree Preservation Order are to be preserved and special provision should be made to prevent disturbance to root systems.

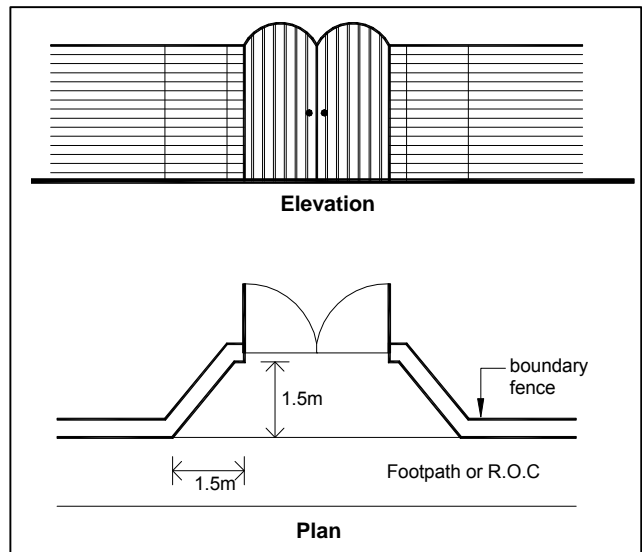


7.4 Vehicular access

Openings for vehicular entry along rights-of-carriageway and streets, shall be of such dimensions and form as will facilitate safe entry and exit conditions, i.e. visibility of pedestrians and ability to open gates with vehicle fully off the road (refer examples below). Gates to these entries shall only open inwards onto the property.

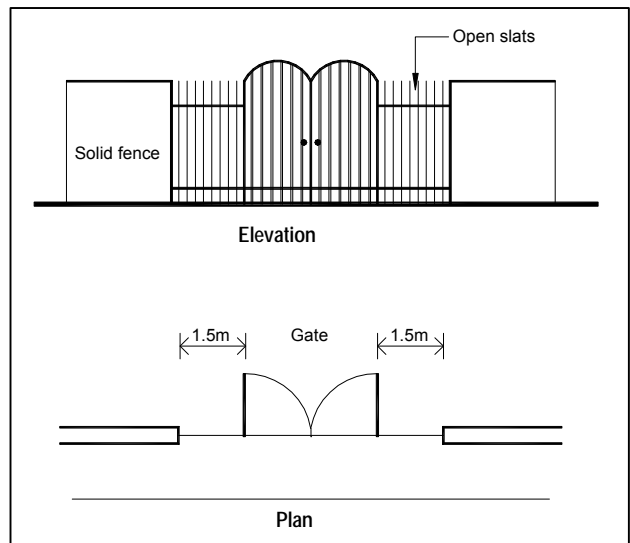
Example 1:

Splay required where Fence is on a boundary



Example 2:

This form of fencing only permitted where footpath exceeds 5.5m wide



7.5 Easements

Special consideration needs to be given to fences across Council drainage easements. Reference should be made to the Environmental Services Division for detailed requirements, as brick or similar solid fences are generally unacceptable across drainage easements.

7.6 Visual security

The security of private residences can be significantly reduced by the provision of continuous solid fencing especially on corner blocks. Applicants should give consideration to open form sections within fences to increase visibility for security purposes.

8. Front fences

8.1 Front fences shire wide – excluding Woronora Heights and areas west of Woronora

8.1.1 Primary objective

To ensure that the impact of fences on the streetscape is minimised and the existing natural landscaping is enhanced.

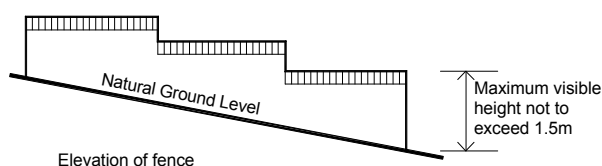
8.1.2 Need

A statement setting out the **need** to fence any area forward of the building line is required for all proposed fences greater than one metre in height.

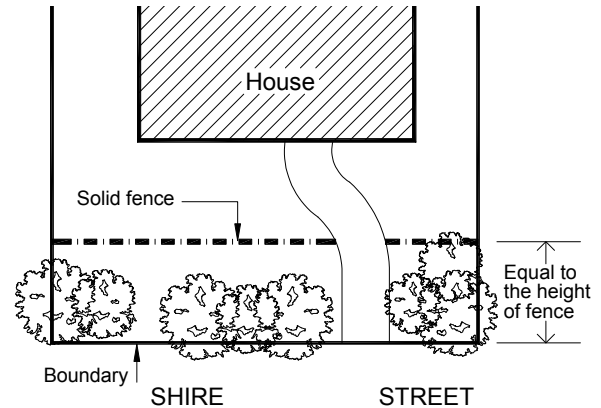
8.1.3 Height

The maximum height permitted at any point shall be 1.5 metres from natural ground level.

Where portion of the fence is a retaining wall, 1.5 metres shall be the total maximum height permitted.

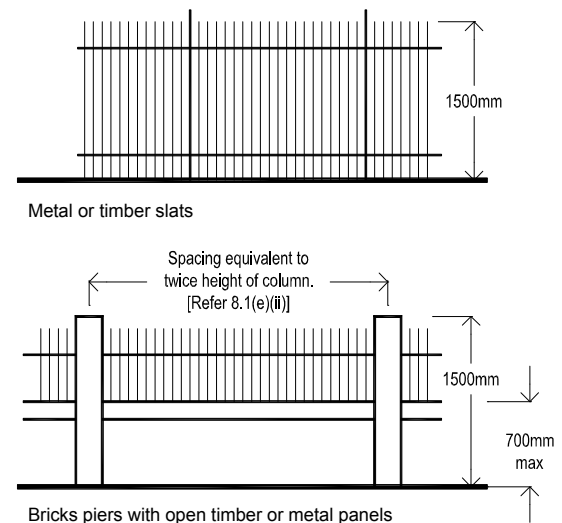


8.1.4 Solid fences



Visually solid fences such as block, masonry, paling, lapped and capped and sheet or panelled fences shall be set back from the boundary by a distance equivalent to the height of the fence, to facilitate planting to screen the fence in accordance with Section 7.3.

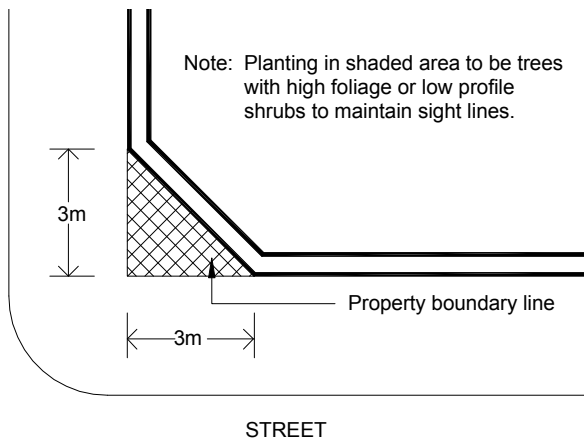
8.1.5 Open-type timber or metal fences



- Where fences are designed such that visibility to the enclosed area is not substantially restricted, the fence location may be considered without any boundary setback.
- The column/pier width and spacing should be designed to provide a balance across the property frontage. The overall fence design should compliment existing structures, landscaping and general streetscene. Columns/piers generally will need to be spaced at twice the finished fence height.
- Clearance between all vertical members shall be equal to or greater than the width of the member. Minimum spacing to be 50mm.

8.1.6 Sight lines at intersections

Where a fence is proposed at the intersection of two public roads, special consideration is to be given for providing satisfactory sight distance for traffic. In the majority of cases, a minimum splay of 3m x 3m is to be provided. However, particular locations may require increased splays.



8.2 Front fences in Woronora Heights and areas west of Woronora

8.2.1 Primary objectives

- To ensure that the area forward of the dwelling is free from all structures and developments other than those necessary for the provision of vehicle accessways.
- To ensure that the landscape treatment of the area forward of the dwelling is in harmony with the **natural** profile and character of the site.

8.2.2 Local residential street

Fences, walls and retaining structures forward of the building line will not be permitted, except the secondary frontage of corner lots (See Section 10)

The artificial terracing of sites is not favoured. Where such site works are considered essential to provide a suitably accessible building platform, these are to be done with minimum disturbance of the site, by the use of natural earth batters rather than vertical retaining structures. Retaining walls at the front boundary will not be acceptable and landscaping forward of the building line should follow the natural "angle of repose" - i.e. the embankment slope of an elevated block.

8.2.3 Town distributor/access-denied roads where adjoining rearyard only eg. Menai Road

Fences at the boundary will be permitted to a maximum height of 1.8m above top of kerb.

Paling fences, should be lapped, capped and suitably stained.

8.2.4 Arterial Roads

On some arterial roads noise attenuation fences are specified by a restriction on the title deeds.

9. Front yard common fences

9.1 Front yards shire wide - excluding Woronora Heights and areas west of Woronora

9.1.1 Primary objective

To ensure that adjoining owners are not adversely affected by the fencing of front yards.

9.1.2 Height

Generally the maximum height permitted at any point shall be 1.0 metre from natural ground level.

Where a front yard common boundary fence, is required to be in excess of 1.0m. The proposal will be considered on merit, provided the height does not exceed the approved front fence height.

9.1.3 Adjoining owners

Where a common boundary fence is proposed forward of the building line the adjoining owners' will be notified and comments taken into consideration in assessing the application.

9.2 Front yards Woronora Heights and areas west of Woronora

No fences are permitted in front yards forward of the building line.

10. Corner blocks (applies to all areas in the Shire)

10.1 Primary Objective

To allow the reasonable enclosure of the rear yard areas for privacy and security, while minimising the impact of the fence on the street scene.

10.2 Height

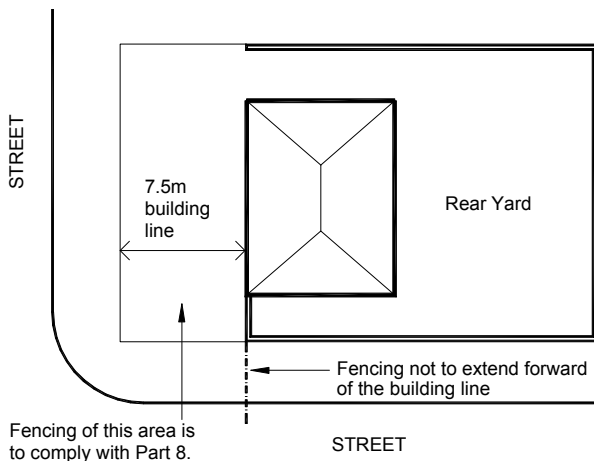
The maximum height permitted at any point shall be 1.8 metres from natural ground level.

Where a portion of the fence is a retaining wall, 1.8 metres should be the total maximum height permitted.

10.3 Extent

Fencing of the secondary frontage will be permitted on the boundary generally up to the 7.5 metres building line to the street (see diagram). Fencing forward of this line shall comply with Part 8 - Front Fences.

Paling fences should be lapped, capped and suitably stained. (Refer 7.4 Vehicular Access.)



11. Pool fencing

Special requirements apply to the fencing of pools. Reference should be made to the Council's Development Control Plan "Swimming Pools" which may be obtained from the Customer Services Counter.

12. Fencing of right-of-carriage-way and access handles (applies to all areas in Shire)

12.1 Primary objective

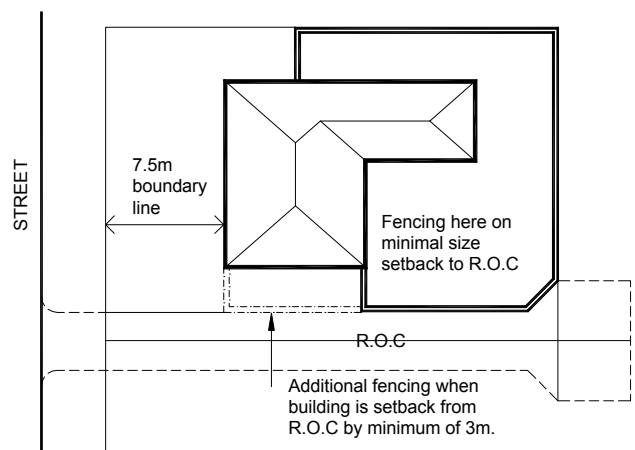
To allow the reasonable enclosure of rear yard areas for privacy and security, while minimising the corridor effect resulting from fencing of the entire boundary.

12.2 Height

The maximum height permitted at any point shall be 1.8 metres from natural ground level. Where a portion of the fence is a retaining wall, 1.8 metres shall be the total maximum height permitted.

12.3 Boundary line

Fencing on the boundary of a right-of-carriageway or access handle will be permitted, generally up to a point in line with the rear of the dwelling (see diagram). However, where the setback of the dwelling from the right-of-carriageway boundary exceeds 3.0 metres or where circumstances of building design, such as positioning of windows and doors exposed to the right-of-carriageway require screening for reasons of privacy and security, a further extension of the fencing may be permitted up to the front of the dwelling (see diagram). Solid fencing of the right-of-carriageway forward of the building line will be considered on merit.



13. Fencing in foreshore areas zoned 2(e1) and 2(e2)

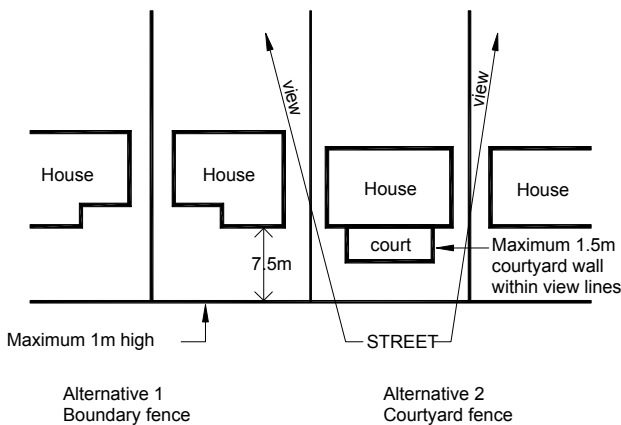
13.1 Primary objective

The relevant objectives of the Foreshore Development Control Plan will prevail. These include preservation of views and minimal disturbance to the natural landscape.

13.2 Front fences in foreshore zones

Solid fences in foreshore zones shall be limited to **one metre high maximum**.

Fences up to 1.5 metres may be permitted where there is no loss of view between the buildings (see diagram). Where front fences are permitted above one metre in height, they should comply with the other relevant sections of this policy.



13.3 Other fencing in foreshore zones

The need for fencing of the allotment between the rear of the dwelling and foreshore building line is recognised. The standard paling fence, however, is not favoured. Preference should be given to open form fencing which can be supplemented with hedges clinging plants and other dense forms of perimeter planting. Paling fences, if to be considered, should be suitably stained and preferably lapped and capped.

Generally, fencing of the area forward of the foreshore building line to Mean High Water Mark will not be permitted.

Nothing in the foregoing is to be taken as prohibiting the fencing of pools to Council's requirements.

14. Origin

Reference: DC 000/1/19

Adopted by Council on 2 September 1974

Amended 15 December 1975

Amended 5 July 1976

Amended 1 June 1981

Amended 26 November 1984

Edition 1:

Adopted by Council on 15 July 1985 (E.P.C.Minute No.225).

Edition 2:

Amended 13 September 1985 to provide additional information in the Origin and to make minor corrections.

Edition 3:

Amended by Council decision of 30 May 1988 (Environmental Planning Committee Minute No.191) to add Objective (d) and Standard (4) to Clause 3.3 and to clarify Clause 5(c).

Edition 4:

Reprint to include the changes made by the Sutherland Local Environmental Plan 1993 (Government Gazette 124, 12 November 1993). Adopted by Council on 5 April 1994 (Environment and Health Committee No.93).

Edition 5:

Amended to comply with Sutherland Shire Local Environmental Plan - September 1995.

Edition 6:

The Fencing Development Control Plan and Menai Fencing Development Control Plan have been combined into the Residential Fencing Development Control Plan.

Edition 7:

Amended in accordance with changes to the Local Government Act. Adopted by Council 6 June 2000.

Edition 8:

Minor alterations which make the document consistent with Sutherland Shire Local Environmental Plan 2000.

Action	Date
Council Endorse Plan	5 February 2001 (EHC 213-01)
Public Notice (draft)	20 February 2001
Exhibition - Start	20 February 2001
Exhibition - Finish	20 March 2001
Council Decision	30 April 2001
Public Notice (final)	8 May 2001
In Effect	8 May 2001