

T3. Fencing Control Policy

Objective

To provide guidelines for the construction of fences to achieve the objectives as set out in the Shire of Dundas Local Planning Scheme No 2.

Policy Statement

The following policy is applicable to town sites within the Shire of Dundas and is to assist in achieving the Local Planning Scheme objectives and to increase public awareness of the Shire's concern regarding substandard and unsightly boundary fencing.

In this policy, unless the context requires otherwise:

“Industrial and Commercial Zone” means any portion of a town site that is pursuant to the Town Planning Scheme zoned for these purposes.

“Residential Zone” means any portion of a town site that is pursuant to the Town Planning Scheme zoned for this purpose.

“Building Surveyor” means a Building Surveyor appointed by the Shire of Dundas or any officer exercising the powers of the Building Surveyor for the purpose of this policy.

“Dividing Fence” means a fence that separates the land of different owners whether the fence is on the common boundary of the adjoining land or on a line other than the common boundary.

“Local Planning Scheme” means the Shire of Dundas Local Planning Scheme No2 for the time being in force under the provisions of the Town Planning and Development Act 1928 (as amended).

“Council” means the Council of the Municipality of the Shire of Dundas.

“Town site” means any town sites within the Shire of Dundas.

“Dangerous Fence” in relation to any fence means a fence declared by a Building Surveyor to be in a dangerous condition by reason of any one or more of the following, namely faulty design, location, construction, deterioration of materials, damage by termites, decay, damage by collision, changes in ground levels, or any other cause or causes.

“Fence” means a fence abutting a road, way or street or a fence on or near the boundary line of a lot and includes any free-standing wall or other structure used or functioning as a fence.

“Lot” has the same meaning as that given to it in section 2 of the Town Planning and Development Act 1929.

- 1) No person shall construct, amend, alter, extend, enlarge or commence or proceed with the construction, amendment, alteration or extension of any fence without Shire approval.
- 2) No person shall erect or permit to be erected on any land belonging to him/her any fence, wall or other obstruction greater than 1000mm in height on or adjacent to the boundary of any road, way or street or adjacent to the side boundaries from the street alignment to the

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building line and thereafter greater than 1800mm in height without the written approval of the Shire.

- 3) In an Industrial Zone where a link mesh fence is required on a corner lot it shall be constructed on the line of a standard truncation of 8500mm.
- 4) No dividing fence shall act as a retaining wall without the written approval of the Shire.
- 5) No person shall erect a fence with sheet metal or second-hand material without written consent of the Council. The Council has the discretion to approve or refuse the application.
- 6) No application to erect a fence with sheet metal will be considered for approval by the Shire unless the fence to be erected is adequately capped.
- 7) The erection of a fence of iron spikes, barb wire, broken glass or any other potentially dangerous material is prohibited except with the written approval of the Council.
- 8) The owner or occupier of land on which a fence is erected shall maintain the fence in good condition and in such a manner as to prevent it from becoming a dangerous fence, falling into a bad state of repair or becoming dilapidated, unsightly or prejudicial to property in or to the inhabitants of the neighbourhood.
- 9) The Shire may give notice in writing to the owner or occupier of any land upon which there's a dangerous fence or a fence which is in the opinion of the Building Surveyor in bad condition of repair, dilapidated, unsightly or prejudicial to property in or to the inhabitants of the neighbourhood or is contrary to the provisions of this policy requiring such Owner or Occupier to pull down, remove, repair, paint or maintain such a fence within the time stipulated in the notice.

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