



Crestwood Fence Policy and Guidelines

Introduction

In its inception Crestwood was never intended to have fenced properties. Rather, the original vision was to have a sense of openness between public and 'private' space. This design principle was important to the way in which the estate is laid out. Many kinds of changes over the years have led to an increased popularity of fencing - residents desire increased security, privacy and a containment area for pets.

All fences either facing the roadside of a property or those adjoining the park area must have formal approval from the Crestwood Home Owner's Association Committee before any work can be undertaken.

According to the Covenant each homeowner signed on purchase of their property, the Crestwood Home Owner's Committee have the legal authority to approve specific fences and can also require unauthorised fences to be altered or removed entirely. Approval can only be given following submission of the prescribed Crestwood Home Owners' Association Building Application Form (available on the website and from the Aesthetics Committee Member). This form must be accompanied by formal plans as required, including an indication of the relation between the fence and the formal property boundary.

Should any homeowner fail to comply with the conditions set by the Committee in the construction of a fence, the matter will be referred to the Association's Solicitors. In such case all legal costs and other expenses incurred by the Association would be charged to the homeowner.

In all cases it is the homeowner's responsibility to ensure that no portion of any fence will protrude beyond the boundary of the relevant property. It shall be the responsibility of the homeowner to establish and if needed provide evidence of the position of that boundary.

In arriving at a decision about any individual fence, the Crestwood Home Owner's Committee is responsible for taking more than just the individual homeowner's desires into consideration. The committee must also consider the aesthetics of the estate, and the impact on the neighbourhood, as well as other issues such as the reduction of opportunities for graffiti, the materials the fence is to be built of and the specific design.

Crestwood does not ordinarily have a formal role in relating to those fences, which define the boundaries between neighbouring properties. It is up to each homeowner to negotiate this with their neighbours and adhere to the requirements (including materials utilised) outlined in the Deed of Covenant.

This policy does not relate to screens which may be necessary to hide things such as garden sheds, clotheslines and the like. However, it is incumbent on the homeowner to check with the Committee whether or not formal permission might be required in any particular instance, especially where such a screen may be viewed as a fence. Approved materials are to be used, and it is preferable that screens be concealed from the park by appropriate creepers or shrubs.

The committee recognises that from time-to-time special considerations may necessitate some flexibility of this policy. In all cases, applications for any deviation from this policy must be presented in full to the committee and be approved by the committee prior to any work commencing.

Permission for Fences

The Committee, depending on the particular plans, will consider approval of any combination of the following construction materials:

- Brick walls or pillars
- Colourbond
- Powder coated pool type fencing (with or without brick walls or pillars)
- Timber fencing (must be painted)
- Other appropriate materials, which do not contravene the Deed of Covenant.

Several general principles apply:

1. No more than 50% of the fencing should totally screen the property from the park.
2. Weld mesh, unpainted timber, plain galvanised materials, asbestos, cement fibre, wire netting or mesh are banned.
3. Fences are not to exceed 1.8 metres in height.
4. Consideration must be given to softening any solid parts of fences – on the park side – with appropriate plants/gardens. Occasionally this will need to be achieved by setting the fence back to give sufficient room for appropriate plants.
5. Street facing fences substantially alter the streetscape and create an environment which isolates individual homes and thus will generally not be permitted.
6. The Committee reserves the right to approve or reject colour choices.
7. It is preferable that the homeowner has the agreement of adjoining property owner/s prior to commencement.



Fences within the Crestwood Estate

Crestwood's Deed of Covenant section 2(b) regarding Fencing, states that:

"Not to erect any fence wholly or partially constructed of timber, asbestos, iron, aluminium or link mesh without the proper written consent of the Transferors or the Association."

The standard for fence construction within the Crestwood Estate is also informed by the City of Gosnells Fencing Local Law 2017. This local law was gazetted on 12 June 2017 (No. 112) and came into operation on 26 June 2017.

It has been placed on the City's website can be accessed via the following link:

<https://www.gosnells.wa.gov.au/cmIS/document/ecm/document-4778611>

For residential areas such as Crestwood, where houses back onto public open space, please see Schedule 1 of the Law:

Where a fence separates a residential lot from public open space, subject to clause 3, a sufficient fence is a fence constructed of materials designed specifically for use as a fence, or masonry, and installed in accordance with the manufacturer's specifications such that at least 50% of the fence is visually permeable.

Please refer to the Crestwood Fence Policy and Guidelines for further information. All fencing submissions must be submitted in person to our Aesthetics Representative or by email to: aesthetics@crestwood.org.au

Permission to proceed must be received before commencing any fencing work.