

Meeting the condition: Fencing of conservation areas

MSA Planning Guidance Note 2

October 2023



This guidance note advises on preparing a Fencing Plan to meet the condition 'Fencing of conservation areas.'

About

This document provides guidance on Fencing Plan preparation to meet the planning permit condition 'fencing of conservation areas.' Fencing plans ensure that conservation area land is properly fenced for protection during development and on-going management as a conservation reserve.

Landowners who subdivide land, construct a building, or carry out works on land containing or abutting a 'conservation area' under the Department of Energy, Environment and Climate Action (DEECA)'s Melbourne Strategic Assessment (MSA) program must meet the condition. Conservation areas are identified in the relevant Precinct Structure Plan (PSP) or via the [MSA Mapshare](#).

Box 1. Key steps to meet the condition requirements

Key Steps:

1. Prepare a fencing plan that is consistent with the guidance provided in this document and:
 - a. [DEECA Requirements for Growling Grass Frog Conservation Area Permanent Fencing](#), or
 - b. [DEECA Requirements for Nature Conservation Area Permanent Fencing](#)
2. Submit the plan to DEECA's MSA Conservation Planning Team for review and approval.
3. Implement the plan as part of the development permit.
 - a. Ensure temporary protective fencing requirements are incorporated into the relevant Construction Environment Management Plans.
 - b. Ensure ultimate fencing and access requirements are translated to relevant Functional Layout Plans and Landscape Plans for construction and delivery.
 - c. Inspections will be undertaken by DEECA to confirm fencing requirements have been installed satisfactorily.

Background

An important part of protecting conservation area land is through appropriate fencing– guided and coordinated by the fencing plan.

The Biodiversity Conservation Strategy identifies 36 conservation areas throughout Melbourne’s Growth corridors that are to be secured for conservation purposes in perpetuity.

Implementation of the BCS including the protection and securing of the conservation areas is a condition of Commonwealth approvals under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for the urban development of Melbourne’s Growth Corridors.

What must be done to meet the condition

The relevant permit holder must prepare a fencing plan that coordinates the implementation and delivery of fencing to ensure the protection and management of conservation area land. The fencing plan must be submitted to DEECA for review and approval. The approved plan will form part of the permit and must be implemented to the satisfaction of DEECA and the responsible authority.

Box 2. Wording of condition

Condition – Fencing of conservation areas

Prior to the commencement of development, a conservation area fencing plan must be submitted to and approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) (Secretary) to ensure the conservation area is adequately protected. The fencing plan must contain the following:

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.
- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

Element	Distance
Conservation area	0.5 metres
Scattered tree	12 x diameter at a height of 1.3 metres
Patch of native vegetation	2 metres

- The timing of installation and removal of temporary protection fencing.
- The timing of installation of permanent fencing.
- Location and details of ongoing maintenance vehicle access points.
- The type of temporary and permanent fencing including materials, heights and spacing of uprights.
- Frequency of inspections and rectification works for temporary protection fencing.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and the responsible authority.

Stockpiles, fill, machinery, vehicle parking, excavation and construction activity of any kind must not be brought into, or be undertaken within, the area to be fenced, except with the prior written consent from the Secretary.

Typically fencing should be considered in two phases:

1. Semi-permanent protective fencing installed prior to works to protect the conservation area during the development period.
2. Permanent fencing installed through the development process to ensure on-going protection of the conservation area.

The alignment of boundary fencing must be consistent with the current conservation area boundary as defined by the dataset ‘Conservation Areas in the Biodiversity Conservation Strategy’ available at [DATA VIC](#) or viewable via the [MSA Mapshare](#).

What to show on a Fencing Plan

The Fencing Plan must detail the specifications and designs of all fencing and gates to be installed as required by the plan. This includes for:

- Semi-permanent temporary fencing
- Permanent fencing
- Maintenance access gates
- Any temporary farm style or other internal boundary fencing/ maintenance delineation treatment.

The Fencing Plan should include a site plan that shows the alignment of all relevant fencing through the life of the development. The plan must show the locations of permanent maintenance access locations.

To determine if maintenance access locations are appropriate and meet future management needs of the conservation area, additional details and features must also be shown on the plan.

Specific details to be shown on a site plan(s) as part of the Fencing Plan are detailed in Table 1. **Appendix 1** shows an example fencing plan layout.

Table 1. Specific details that must be shown on a Fencing Plan site plan.

Semi-permanent temporary fence alignment	Specifications consistent with Item 5 of the DELWP Requirements for CEMPs
Permanent fence alignment	Specifications consistent with the DEECA Fencing Requirements
Internal reserve delineation	Through bollards, landscaping, shared paths etc. (e.g. for a stormwater reserve in the conservation area)
Maintenance access gate locations	This must include the requirement for a heavy-duty vehicle crossover
Road network	From the endorsed subdivision plan
Conservation area contours	Data available from Data Vic
Native vegetation patches, significant flora records within the conservation area	Timestamped data available from Data Vic
Growling Grass Frog Areas of Strategic Importance	Data available from Data Vic
Any obstacles or barriers to movement into and within the conservation area	This could include: <ul style="list-style-type: none"> - Existing wind break trees - Drainage lines (incl. future constructed waterways) - Future infrastructure (roads, bridges, paths, stormwater wetlands etc.) - Steep embankments or other landscape features (e.g. stony knolls)
Any future 'way' easements	To allow maintenance access through land managed by other authorities

Additional Fencing Plan details

Timing

The fencing plan must detail the timing of installation for both the semi-permanent protective fencing and the ultimate interface fencing/treatment.

Timing of fencing installation should consider the following principles:

Semi-permanent protective fencing

- Installation must be prior to any works occurring on or within 50 metres of the conservation area.
- Installation can be for the entire boundary of the conservation area or staged with the progression of adjacent works (note, works for each stage must not commence until semi-permanent protective fencing has been installed).
- Installation timing should consider any wildlife movement requirements under an endorsed Kangaroo Management Plan.
- Removal must be staged and coordinated with the installation of the ultimate fencing to ensure the conservation is at no time unprotected.

Ultimate permanent fencing/interface delineation treatment

- Maintenance access crossovers into the conservation area must be delivered as part of the road and drainage civil works for relevant adjacent stages of development.
- Installation of the permanent fencing/interface delineation must be delivered with the landscaping for relevant adjacent stages of development or open space.

It will be the responsibility of the developer to manage the permanent fence and interface whilst they remain the owner of the conservation area land. Prior to transfer of the land any defects with the fencing must be rectified.

Safe access considerations

When nominating maintenance access locations in the Fencing Plan the following principles should be considered:

- Ensure clear lines of site (including future streetscape landscaping).
- Avoid access from the end of T intersections.
- Avoid access from main thoroughfare/high traffic roads (e.g. arterial roads).
- Avoid access which may intersect with a shared trail.
- Avoid access locations into steep sections, obstacles, or barriers.

Where the road network is elevated above the natural surface level of the conservation area it may be necessary to ensure the Fencing Plan considers the need for a stabilised access ramp. Example specifications are:

- Ramp should be stabilised by stripping top soil and replacing with a 100mm crushed rock with some clay, and then compacted.
- Ramp top coat to be 100mm of 20mm crushed rock with 3% stabiliser.

Additional Fencing Plan details (cont.)

- Where there is potential for surface cross flows, drainage should be provided, e.g. 150mm pipe with 2 x concrete headwalls. Pipe to be backfilled with 20mm crushed rock and compacted as per MWC standard drawing 7251/08/419.
- Concrete crest to be equal to top of road curb and channel.
- Ramp grade/ angle to be typically 6 degrees.
- Ramp width to be minimum 4 metres wide.

Example details:

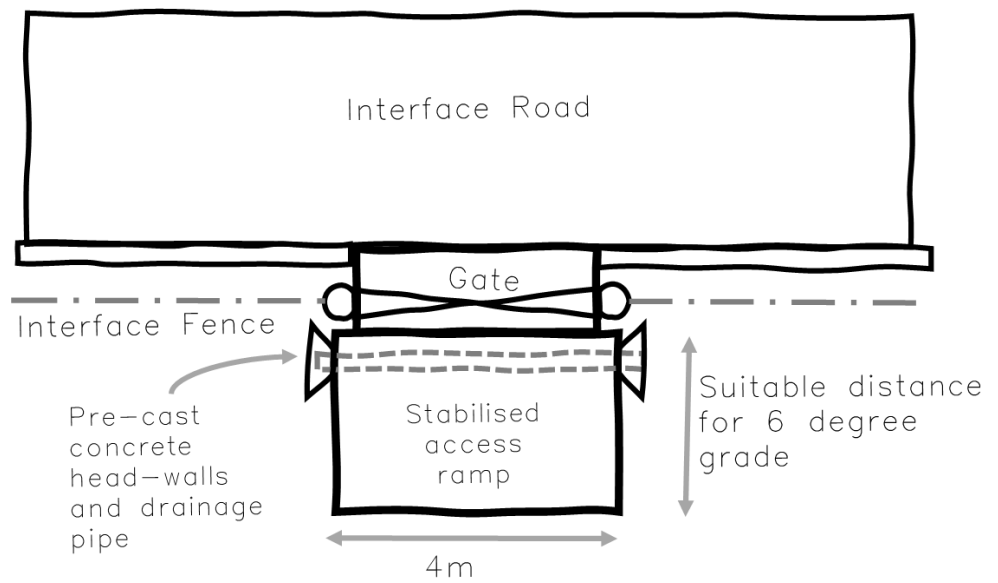


Figure 1. Access ramp plan view

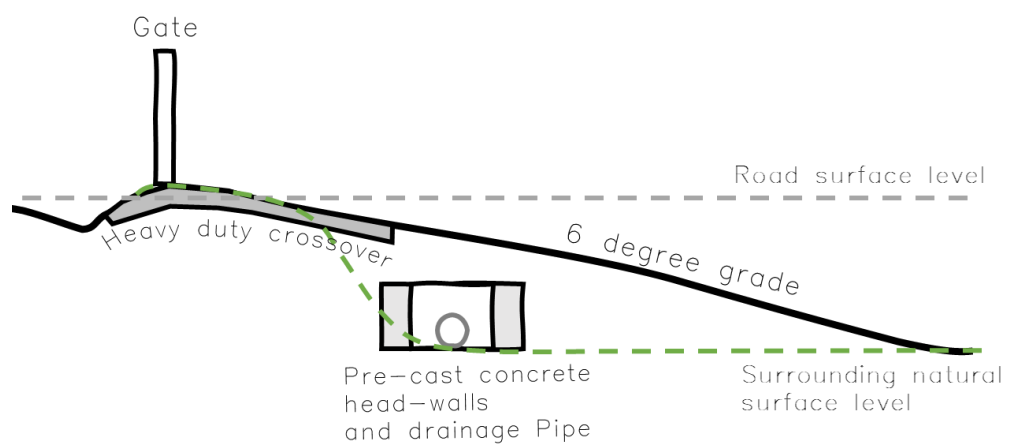


Figure 2. Access ramp cross-section

Additional Fencing Plan details (cont.)

Plans informed by the Fencing Plan

The Fencing Plan must specify the requirement to inform as relevant:

- Any Construction Environment Management Plan for works covered by the Fencing Plan (Semi-permanent protection fencing requirements).
- Any civil road and drainage plan for development stages included in the Fencing Plan (maintenance access requirements).
- Any landscape/streetscape plan for development stages included in the Fencing Plan (permanent fencing requirements).
- Any civil and landscape plan for open space reserves included in the fencing plan (maintenance access and delineation requirements).
- Any plan of subdivision creating a reserve, other than for the conservation area, through which maintenance access is required ('way' easement requirements).

Additional fencing installation considerations

- In accordance with the condition 'Correct alignment of protective fencing:'
 - o Works must not commence until the semi-permanent fencing has been installed.
 - o Alignment of the installed fence must be confirmed by a suitably qualified land surveyor.
- The verge of the road reserve should allow sufficient space to install permanent fencing. Installation must ensure no machinery, tools, equipment, or stockpiles within the conservation area.
- Utility plans should provide suitable separation between any services or utilities within the road reserve and the semi-permanent and permanent fencing.
- Gates must open into the conservation area, not out onto the road.

Further information

For further information or clarification of fencing plan requirements contact the MSA Conservation Planning Team at msa.planning@delwp.vic.gov.au.

We acknowledge Victorian Traditional Owners and their Elders past and present as the original custodians of Victoria's land and waters and commit to genuinely partnering with them and Victoria's Aboriginal community to progress their aspirations.



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Appendix 1 – Example Fencing Plan Layout

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Conservation Area Fencing Plan: <ESTATE NAME> <Cons No.> | <ADDRESS>

Permit No: XXXXX

Semi-Permanent Protective Fencing Plan

Contact: XXX YYYY

Plan Objectives

Timing Notes











Staging Sequence

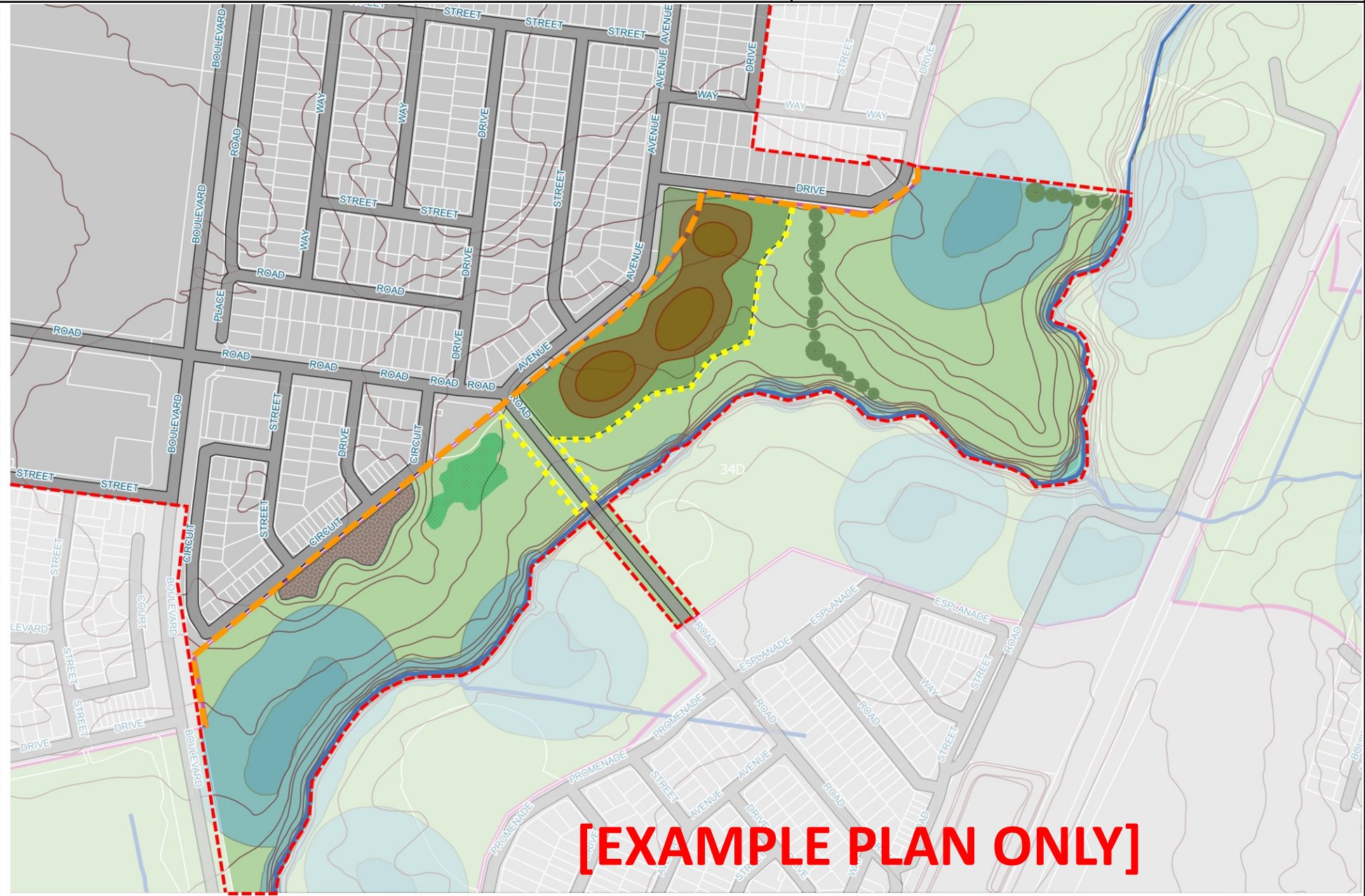
Installation Notes

"Exclusion fencing (e.g. chain link or welded mesh) to a height of 1.8 metres mounted on vertical steel pipes at 3 metre intervals driven 0.7 metres into the ground.
Signs stating, 'Conservation Area - NO GO ZONE' consistent with council requirements and securely affixed to fencing at 30 metre intervals and at a height of 1.5 metres."

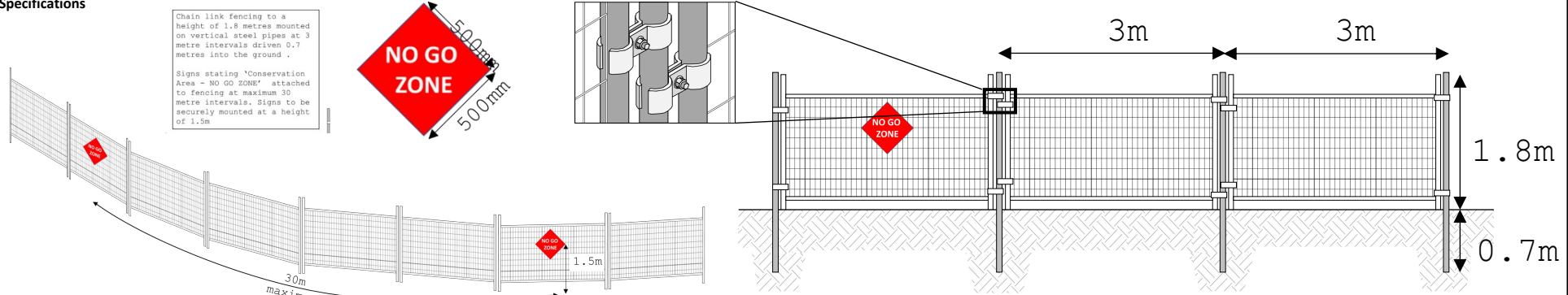
"No works to commence until a licensed land surveyor has confirmed to DELWP that alignment of protection fencing matches the outer extent of approved construction footprint as shown on the CEMP.
Construction, works, vehicle traffic, or placement or storage of structures or materials are not permitted within the No-Go Zone."

Legend:

-  Permit Area Boundary
-  Semi-permanent fence
-  Wetland works area semi-permanent fence (subject to WICA approval)
-  Conservation Area
-  Developable land
-  Contour
-  Waterway/ drainage line
-  Road
-  Native vegetation
-  GGF Area of Strategic Importance



Specifications



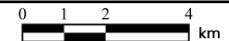
Plans informed by this Plan:

- <CEMPs>
- <WICA Applications>
- <Other relevant plans>

<Company details>

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Scale at A1



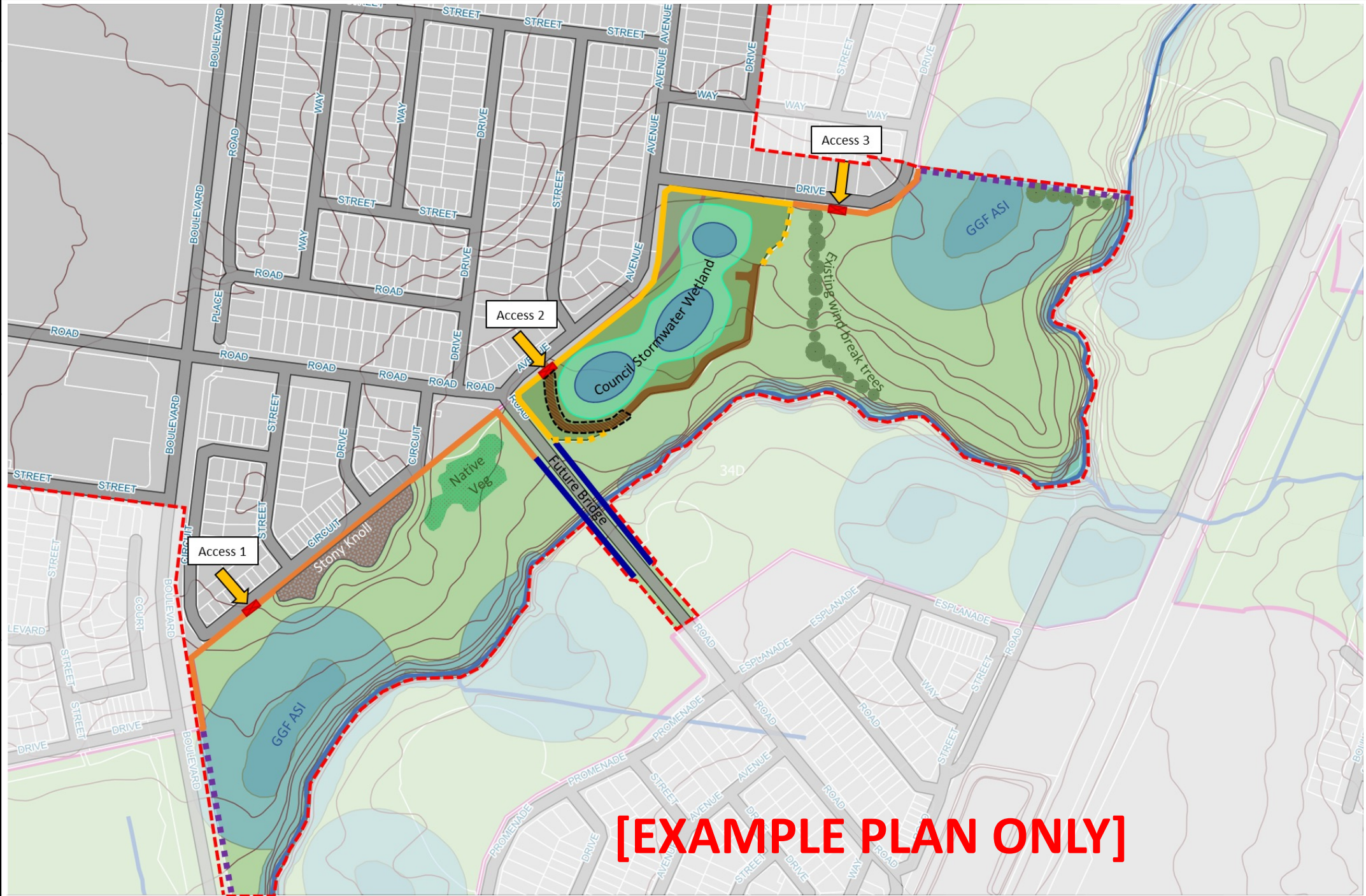
Contact: XXX YYYY

Plan Objectives

Timing Notes

Staging Sequence

Installation Notes



[EXAMPLE PLAN ONLY]

- Plans informed by this Plan:
- <Road and Drainage FLPs>
 - <Landscape/Streetscapes>
 - <Stormwater landscaping>
 - <Reserve POS>
 - <Other relevant plans>

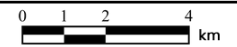
Legend:

Permit Area Boundary	Council style fence (Type YYYY)	Contour	Maintenance access point	Conservation Area	Stony knoll	GGF Area of Strategic Importance
Farm Style Fence (Type XXXX)	Boundary delineation bollards	Maintenance track	Waterway/ drainage line	Council stormwater	Large trees	
Conservation area fence (Type WWWW)	Steel traffic barrier	Way easement	Road	Developable land	Native vegetation	

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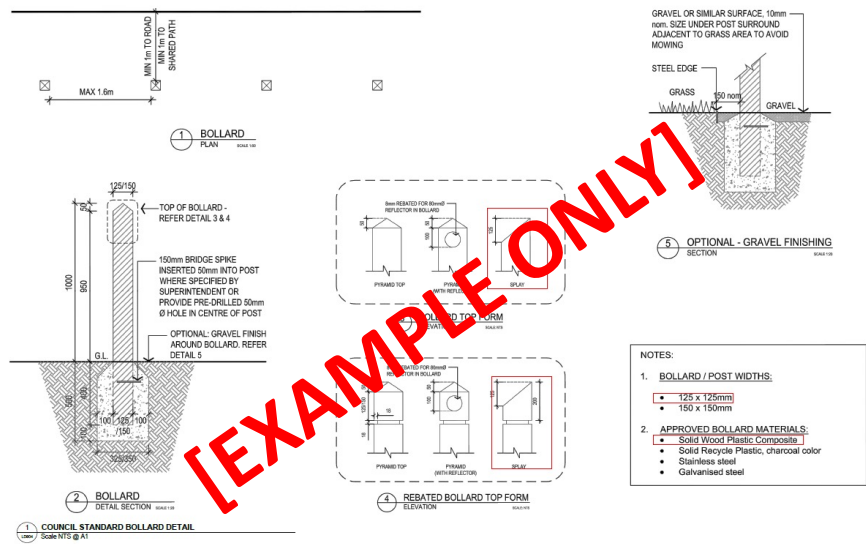
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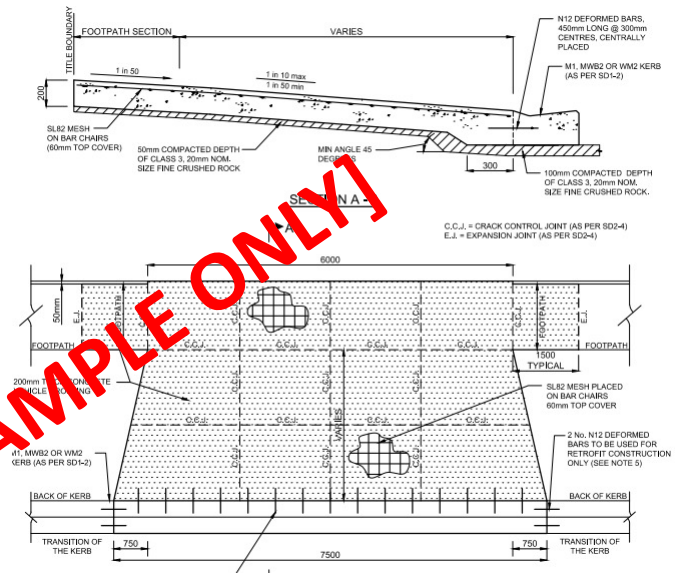
Bollard Type <BBBB>



Heavy Duty Crossover

TABLE 1: MINIMUM CLEARANCES

Category	Minimum Clearance
BETWEEN CROSSOVERS	7.0m AT KERB
DRAINAGE PITS	0.75m (WITHIN 0.75m - CLASS D PIT COVERS AS PER SD5-16) (WITHIN PIT - MODIFY PIT AND LID)
TRAFFIC MANAGEMENT DEVICES	1.0m
UTILITY SERVICE ASSETS	1.0m
STREET LIGHT	2.0m
INTERSECTIONS	9.0m FROM INTERSECTING KERB LINE
PRAM CROSSING	2.0m
TREES	3.0m
FIRE HYDRANT	1.5m
LEGAL POINT OF DISCHARGE	1.0m



Example:

Installation Notes:

- NOTES:**
- As a minimum, posts should be 125mm x 125mm in width, 1400mm below ground and 800 - 850mm above ground.
 - As a minimum, posts must be dressed seasoned hardwood with a natural durability class of 2 or better. All timber must be straight, clean and free of defects.
 - Concrete footings shall be nominally 330mm x 330mm in width and 480mm in height. Concrete footings must be 28MPa at a minimum and include a gentle slope (MIN 30 degrees) away from the upright.
 - Footings for larger bollards to be reviewed on a case by case basis.
 - Bollards must be painted or stained with reapplication every 18 months or as required.
 - Maximum spacing between posts is 3000mm.
 - All steel components (including fasteners, fixings and cables) shall be hot dip galvanised.
 - 10mm galvanised wire cable minimum (7 strand - 7 wire).

Example:

Installation Notes:

- NOTES:**
- NO BULLNOSE IN THE INVERT OF KERB.
 - CONCRETE TO BE LIGHT BROOM FINISH WITH EDGES AND JOINTS NEATLY TOOLED AFTER THE BROOM IS APPLIED.
 - ALL FINISHED SURFACES TO COMPLY WITH AS 4586 - SLIP RESISTANT CLASSIFICATION OF NEW PEDESTRIAN SURFACE MATERIALS.
 - NO PATTERN-PAVE FINISH OR COLOURED CONCRETE IS TO BE USED. WHERE PERMISSION IS GRANTED TO USE COLOURED CONCRETE STRENGTH TO BE 32MPa.
 - EXPANSION JOINT SHALL HAVE 3 No. N12 Ø DEFORMED BARS, 450mm LONG @ 300mm CENTRES AND AT CENTRAL DEPTH.
 - CONCRETE STRENGTH OF 28MPa AT 28 DAYS.
 - REINFORCING TO BE PLACED 50mm FROM TOP OF SLAB AND MUST ACHIEVE MIN 50mm COVER TO ALL EDGES.
 - MODIFICATION OF VEHICLE CROSSING WIDTH AND SPLAYS FOR ROAD OPENING PERMIT SHALL BE SUBJECT TO APPROVAL.

<OTHER NOTES AND DETAILS AS NECESSARY>

<OTHER NOTES AND DETAILS AS NECESSARY>

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