LOCAL GOVERNMENT ACT 1995
DIVIDING FENCES ACT 1961

SHIRE OF EAST PILBARA

FENCING AMENDMENT LOCAL LAW 2026

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the Shire of East Pilbara resolved on 12 December 2025 to make the following local law.

1. Citation

This local law is cited as the *Shire of East Pilbara Fencing Amendment Local Law 2026*.

2. Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

3. Principal Local Law

This local law amends the *Shire of East Pilbara Fencing Local Law 2011* as published in the *Government Gazette* on 26 March 2012.

4. Clause 2.8 amended

In clause 2.8—

a) After (2)(c), insert—

(3) Notwithstanding the provisions of clause 2.10(3) and (4), the local government may approve the erection or repair of a barbed wire fence or fence of other materials with spiked or jagged projections on an Industrial Lot where the owner of that Lot has submitted an application for approval for that purpose.

(4) In determining whether to grant its approval under subclause (3), the local government may consider whether varying the requirements of
clause 2.10(3) or (4) would have an adverse effect on –
(a) the safe or convenient use of any land;
(b) the safety or convenience of any person;
or (c) the visual amenity of the locality.

———

Dated this 3rd day of July 2026

The Common Seal of the Shire of East Pilbara was affixed by authority of a resolution of the Council in the presence of —



Anthony Middleton
President.

Steven Harding
Chief Executive Officer

LOCAL GOVERNMENT ACT 1995
DIVIDING FENCES ACT 1961

SHIRE OF EAST PILBARA

FENCING AMENDMENT LOCAL LAW 2020

Under the powers conferred by the *Local Government Act 1995,* and all other powers enabling it, the Council of the Shire of East Pilbara resolved on 28 August 2020 to make the following local law.

1. Citation

This local law is cited as the *Shire of East Pilbara Fencing Amendment Local Law 2020*.

2. Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

3. Principal Local Law

This local law amends the *Shire of East Pilbara Fencing Local Law 2011* as published in the *Government Gazette* on 26 March 2012.

4. Clause 1.6 amended

In clause 1.6—

(1) The definition of 'authorised person' is replaced with—

authorised person means a person appointed by the local government under section 96 of the *Building Act 2011* to perform any of the functions of an authorised person under this local law;

(2) The definition of 'Building Surveyor' is deleted.

5. 'Building Surveyor' replaced with 'authorised person'

'the Building Surveyor' is replaced with 'an authorised person' wherever it appears in the local law.

Dated 28 August 2020.

The Common Seal of the Shire of East Pilbara was affixed by authority of a resolution of the Council in the presence of—

Cr LYNNE CRAIGIE OAM, President.
JEREMY EDWARDS, Chief Executive Officer.

Dividing Fences Act 1961
Local Government Act 1995

SHIRE OF EAST PILBARA

FENCING LOCAL LAW 2011

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Dividing Fences Act 1961
Local Government Act 1995

SHIRE OF EAST PILBARA

FENCING LOCAL LAW 2011

Under the powers conferred by the *Dividing Fences Act 1961,* the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of East Pilbara resolved on 3 February 2012 to make the following local law.

Part 1 – Preliminary

1.1 Citation

This local law is the *Shire of East Pilbara Fencing Local Law 2011*.

1.2 Purpose and effect

(1) The purpose of this local law is to provide for the regulation, control and management of fences within the district.

(2) The effect of this local law is to –
   (a) regulate, manage and control fences; and
   (b) establish the standard of a sufficient fence according to land use.

1.3 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette.*

1.4 Repeal

The *Shire of East Pilbara Local Laws Relating to Fencing* published in the *Government Gazette* on 10 November 2000 is repealed.

1.5 Application

This local law applies throughout the district.

1.6 Interpretation

In this local law, unless the context requires otherwise -

Act means the *Dividing Fences Act 1961;*

applicant means a person who makes an application for approval under this local law;

AS means an Australian Standard or Australian/New Zealand Standard published by Standards Australia;

authorised person means a person appointed by the local government under section 96 of the *Building Act 2011* to perform any of the functions of an authorised person under this local law;

boundary fence has the meaning given to it by the Act;

CEO means the Chief Executive Officer of the local government;

Commercial Lot means a lot where a commercial use -

(a) is or may be permitted under the local planning scheme; and

(b) is or will be the predominant use of the lot;

dangerous in relation to any fence means -

(a) an electrified fence other than a fence approved by the local government under this local law;

(b) a fence containing barbed wire other than a fence erected and maintained in accordance with this local law;

(c) a fence containing exposed broken glass, asbestos fibre, razor wire or any other potentially harmful projection or material; or

(d) a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, from any cause;

district means the district of the local government;

dividing fence has the meaning given to it by the Act;

electrified fence means a fence carrying or designed to carry an electric charge;

fence means any structure used or functioning as a barrier, irrespective of where it is located and includes any gate;

front boundary means the boundary line between a lot and the thoroughfare upon which that lot abuts, or in the case of a lot abutting on more than one thoroughfare, the boundary line between the lot and the primary thoroughfare;

front fence means a fence erected on the front boundary of a lot or on a line adjacent to the front boundary;

front setback area means the area between the building line of a lot and the front boundary of that lot;

height in relation to a fence means the vertical distance between -

(a) the top of the fence at any point; and

(b) the ground level or, where the ground levels on each side of the fence are not the same, the higher ground level, immediately below that point;

Industrial Lot means a lot where an industrial use -

(a) is or may be permitted under the local planning scheme; and

(b) is or will be the predominant use of the lot;

licence means an electrified fence licence or a razor wire fence licence;

local government means the Shire of East Pilbara;

local government property means anything except a thoroughfare –

(a) which belongs to the local government;

(b) of which the local government is the management body under the *Land Administration Act 1997*; or

(c) which is an "otherwise unvested facility" under section 3.53 of the *Local Government Act 1995;*

local planning scheme means a local planning scheme of the local government made under the *Planning and Development Act 2005;*

lot has the meaning given to it in and for the purposes of the *Planning and Development Act 2005*;

non-sacrificial graffiti protection means a coating applied to a fence which is not removed in the process of removing graffiti;

notice of breach means a notice referred to in clause 5.1;

occupier has the meaning given to it in the *Local Government Act 1995;*

owner has the meaning given to it in the *Local Government Act 1995;*

Residential Lot means a lot where a residential use -

(a) is or may be permitted under the local planning scheme; and

(b) is or will be the predominant use of the lot;

retaining wall means any structure which prevents the movement of soil or retains soil or structures in order to allow ground levels of different elevations to exist adjacent to one another;

Rural Lot means a lot where a rural use -

(a) is or may be permitted under the local planning scheme; and

(b) is or will be the predominant use of the lot;

Schedule means a Schedule to this local law;

Special Rural Lot means a lot where a special rural use -

(a) is or may be permitted under the local planning scheme; and

(b) is or will be the predominant use of the lot;

sufficient fence means a fence that satisfies clause 2.1 and includes a fence of the description and quality agreed upon by the owners of adjoining lots which does not fail to satisfy clause 2.1; and

thoroughfare has the meaning given to it by the *Local Government Act 1995.*

1.7 Fees & charges

All fees and charges applicable under this local law shall be determined by the local government from time to time in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995*.

Part 2 - Fences

Division 1 – Sufficient fences

2.1 Sufficient fences

(1) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence.

(2) Subject to subclauses (3) and (4), a sufficient fence –

(a) on a Residential Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 2;

(b) on a Commercial Lot and on an Industrial Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 3; and

(c) on a Rural Lot and on a Special Rural Lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 4.

(3) Where a fence is erected on or near the boundary between –

(a) a Residential Lot and an Industrial Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 2;

(b) a Residential Lot and a Commercial Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 3;

(c) a Residential Lot and a Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 4;

(d) a Residential Lot and a Special Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 4; and

(e) a Special Rural Lot and a Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 4.

(4) An application must be made to the local government for grant of consent to any variation to the specifications in Schedules 2, 3 and 4.

(5) Unless an authorised person determines otherwise, a sufficient fence on a boundary between lots other than those specified in subclause (3) is a dividing fence constructed in accordance with the specifications and requirements of Schedule 2.

(6) Notwithstanding any other provision in this local law, a dividing fence or boundary fence constructed of masonry, stone or concrete shall be a sufficient fence only if it is designed by a suitably qualified structural engineer and constructed in accordance with that design where -

(a) it is greater than 1800mm in height; or

(b) an authorised person so requires.

(7) Notwithstanding any other provision in this local law, a dividing fence or boundary fence shall not exceed 1800mm in height unless the approval of the local government has been obtained for such a fence.

Division 2 - General

2.2 Fences within front setback areas

(1) A person shall not, without the written consent of an authorised person, erect a free-standing fence greater than 1200mm in height, within the front set-back area of a Residential Lot within the district.

(2) An authorised person may approve the erection of a fence of a height greater than 1200mm in the front setback area of a Residential Lot only if the fence on each side of the driveway into the lot across the front boundary is to be angled into the

lot for a distance of not less than 1500mm along the frontage to a distance of not less than 1500mm from the frontage in order to provide appropriate splayed lines of vision for a motorist using the driveway for access to a thoroughfare.

(3) The provision of subclause (2) shall not apply to a fence -
   (a) of open construction that does not obscure the lines of vision of a motorist using the driveway for access to a thoroughfare; or
   (b) that does not adjoin a footpath.

2.3 Gates in fences

(1) A person shall not erect a gate in a fence which does not –
   (a) open into the lot; or
   (b) open by sliding parallel and on the inside of the fence, which it forms part of, when closed.

2.4 Depositing fencing material on public place

A person shall not deposit or permit the deposit of any materials whatsoever used in the construction or maintenance of any fence, on any thoroughfare, public place or local government property unless the approval of the local government has been obtained.

2.5 Fences on a Rural Lot

A person shall not, without the written consent of an authorised person, erect a fence on a Rural Lot of a height exceeding 1500mm.

2.6 Maintenance of fences

An owner of a lot on which a fence is erected shall maintain the fence in good condition so as to prevent it from becoming dangerous, dilapidated, or unsightly to the amenity of the locality.

2.7 Fences across rights-of-way, public access ways or thoroughfares

A person must not, without the approval of the local government, erect or maintain a fence or obstruction of a temporary or permanent nature across any right-of-way, public access way or thoroughfare so as to impede or prevent use of those facilities in the manner for which they are intended and constructed.

2.8 General discretion of the local government

(1) Notwithstanding the provisions of clause 2.1, the local government may approve the erection or repair of a dividing fence which is not a sufficient fence where all of the owners of the lots to be separated by the dividing fence make an application for approval for that purpose.

(2) In determining whether to grant its approval under subclause (1), the local government may consider whether the erection or retention of the fence would have an adverse effect on -
   (a) the safe or convenient use of any land;
   (b) the safety or convenience of any person; or
   (c) the visual amenity of the locality.

Division 3 – Fencing materials

2.9 Pre-used fencing materials

(1) Notwithstanding clause 2.1, a person shall not construct a fence on a Residential Lot, a Commercial Lot or an Industrial Lot from pre-used materials without the approval of the local government.

(2) Where the local government approves the use of pre-used materials in the construction of a fence under subclause (1), that approval shall be conditional on the applicant painting or treating the pre-used material as directed by an authorised person.

2.10 Barbed wire fences and spiked or jagged materials

(1) This clause does not apply to a fence constructed wholly or partly of razor wire.

(2) An owner or occupier of a Residential Lot or a Commercial Lot shall not erect, affix or allow to remain on any fence on such a lot any barbed wire or other material with spiked or jagged projections, unless the prior written approval of the local government has been obtained.

(3) An owner or occupier of an Industrial Lot shall not erect, affix or allow to remain on any fence bounding that lot any barbed wire or other materials with spiked or jagged projections unless the wire or other materials are carried on posts at an angle of 45 degrees, and unless the bottom row of wire or other materials is set back 150mm from the face of the fence and is not nearer than 2000mm from the ground level.

(4) If the posts which carry the barbed wire or other materials referred to in subclause (3) are angled towards the outside of the lot bounded by the fence, the face of the fence must be set back from the lot boundary a sufficient distance to ensure that the angled posts, barbed wire or other materials do not encroach on adjoining land.

(5) An owner or occupier of a lot shall not erect, affix or allow to remain as part of any fence or wall, whether internal or external, on that lot any broken glass.

(6) An owner or occupier of a Rural Lot shall not erect, affix or allow to remain any barbed wire upon a fence on that lot where the fence is adjacent to a thoroughfare or other public place unless the barbed wire is fixed to the side of the fence posts furthest from the thoroughfare or other public place.

2.11 Electrified and razor wire fences

(1) An owner or occupier of a lot shall not –

(a) construct or use an electrified fence on that lot without obtaining the approval of the local government in the form prescribed in Schedule 5; or

(b) construct a fence wholly or partly of razor wire on that lot without obtaining the approval of the local government in the form prescribed in Schedule 6.

(2) The local government shall not approve an application for the purpose of subclause (1)(a) –

(a) in respect of a lot which is or which abuts a Residential Lot;

(b) unless the fence complies with "AS/NZS 3016:2002 Electrical installations – Electricity security fences"; and

(c) unless provision is made so as to enable the fence to be rendered inoperable during the hours of business operations, if any, on the lot where it is erected.

(3) The local government shall not approve an application for the purpose of subclause (1)(b) –

(a) if the fence is within 3000mm of the boundary of the lot; or

(b) where any razor wire used in the construction of the fence is less than 2000mm or more than 2400mm above the ground level.

(4) An application for approval for the purpose of subclauses (1)(a) or (1)(b) shall be made by the owner of the lot on which the fence is or is to be erected, or by the occupier of the lot with the written consent of the owner.

2.12 Prohibited fencing materials

A person shall not affix or use broken glass in the construction of any fence.

Part 3 – Approvals

3.1 Application for approval

(1) Where a person is required to obtain the approval of the local government under this local law, that person shall apply for approval in accordance with subclause (2).

(2) An application for approval under this local law shall –

(a) be in the form determined by the local government;

(b) be signed by the applicant and the owner of the lot;

(c) provide the information required by the form; and

(d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995.*

(3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for approval.

(4) The local government may refuse to consider an application for approval which is not in accordance with subclauses (2) and (3).

3.2 Decision on application for approval

(1) The local government may –

(a) approve an application for approval unconditionally or subject to any conditions; or

(b) refuse to approve an application for approval.

(2) If the local government approves an application for approval, it is to issue to the applicant an approval in the form determined by the local government.

(3) If the local government refuses to approve an application for approval, it is to give written notice of that refusal to the applicant.

(4) Where a clause of this local law refers to conditions which may be imposed on an approval or which are to be taken to be imposed on an approval, the clause does not limit the power of the local government to impose other conditions on the approval under subclause (1)(a).

3.3 Compliance with approval

Where an application for approval has been approved, the applicant and the owner or occupier of the lot to which the approval relates, shall comply with the terms and any conditions of that approval.

3.4 Duration of approval

Unless otherwise stated in the form of approval, an approval granted under this local law –

(a) runs with the lot to which it relates;
(b) may be relied upon by any subsequent occupier or owner of the lot; and
(c) may be enforced by the local government against a subsequent occupier or owner of the lot.

Part 4 - Miscellaneous

4.1 False or misleading statement

A person shall not make a false or misleading statement in connection with any application, requirement or request under this local law.

Part 5- Notices of breach

5.1 Notices of breach

(1) Where a breach of any provision of this local law has occurred in relation to a fence on a lot, the local government may give a notice in writing to the owner of that lot.

(2) A notice of breach shall -
(a) specify the provision of this local law which has been breached;
(b) specify the particulars of the breach; and
(c) state that the owner is required to remedy the breach within the time specified in the notice.

(3) Should an owner fail to comply with a notice of breach, the local government may, by its employees, agents or contractors enter upon the lot to which the notice relates and remedy the breach, and may recover the expenses of so doing from the owner of the lot in a court of competent jurisdiction.

(4) The provisions of this clause are subject to section 3.25 and item 12 of Division 1 of Schedule 3.1 of the *Local Government Act 1995* and any entry on to land will be in accordance with Part 3, Division 3 of that Act.

Part 6 - Offences

6.1 Offences and penalties

(1) A person who fails to comply with a notice of breach commits an offence and is liable upon conviction to a penalty of not less than $250 and not exceeding $5000 and, if the offence is a continuing offence, to a maximum daily penalty of $500.

(2) A person who fails to comply with or who contravenes any provision of this local law commits an offence and is liable on conviction to a penalty of not less than $250 and not exceeding $5000 and, if the offence is a continuing offence, to a maximum daily penalty of $500.

6.2 Modified penalties

(1) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the *Local Government Act 1995*.

(2) The amount appearing in the final column of Schedule 1, directly opposite a prescribed offence in that Schedule, is the modified penalty for that prescribed offence.

(3) For the purpose of guidance only, before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that –

(a) commission of the prescribed offence is a relatively minor matter; and

(b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

6.3 Form of notices

For the purposes of this local law –

(a) the form of the infringement notice referred to in sections 9.16 and 9.17 of the *Local Government Act 1995* is to be in or substantially in the form of Form 2 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and

(b) the form of the withdrawal of infringement notice referred to in section 9.20 of the *Local Government Act 1995* is to be in or substantially in the form of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

Part 7 – Objections and review

7.1 Objections and review

When the local government makes a decision under clause 3.2, the provision of Part 9 Division 1 of the *Local Government Act 1995,* and regulation 33 of the *Local Government (Functions and General) Regulations 1996,* apply to that decision.

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Schedule 1 – Offences and modified penalties

[clause 6.2(2)]

Item No	Clause No.	Nature of offence	Modified penalties $
1	2.1(1)	Erect a fence which is not a sufficient fence	250
2	2.2	Erect a fence greater than 1200mm in height within a front setback area without the written consent of an authorised person	250
3	2.3(a)	Erect a gate in a fence not opening into the lot	200
4	2.3(b)	Erect a gate in a fence not sliding parallel and inside a fence	200
5	2.6	Failure to maintain a fence in good condition to prevent the fence becoming dangerous, dilapidated or unsightly	250
6	2.7	Erect or maintain a fence or obstruction of temporary or permanent nature across a right-of-way, public access way or thoroughfare without approval	250
7	2.9(1)	Construct a dividing fence on a Residential, Commercial or Industrial Lot from pre-used materials without written approval	250
8	2.10(2)	Erect a fence using barbed wire or material with spiked or jagged projections in the fence construction without approval	250
9	2.11(1)	Construct, erect or use razor wire in a fence or electrify a fence without approval	250
10	2.12	Affix, or use, any broken glass in a fence	250
11	3.3	Failure to comply with terms or conditions of approval	250
12	6.1(1)	Failure to comply with notice of breach	250

Schedule 2 – Specifications for a sufficient fence on a Residential Lot

[clause 2.1(2)(a)]

Each of the identified categories in this Schedule is a sufficient fence on a Residential Lot.

Timber fence:

(a) corner posts to be 125mm x 125mm x 2400mm and intermediate posts to be 125mm x 75mm x 2400mm spaced at 2400mm centres;
(b) corner posts to be strutted two ways with 100mm x 50mm x 450mm sole plates and 75mm x 50mm struts;
(c) intermediate posts to be doubled yankee strutted with 150mm x 25mm x 450mm struts;
(d) all posts to have tops with a 60mm weather cut and to be sunk at least 600mm into the ground;
(e) rails to be 75mm x 50mm with each rail spanning two bays of fencing double railed or bolted to each post with joints staggered;
(f) the fence to be covered with 75mm x 20mm sawn pickets, 1800mm in height placed 75mm apart and affixed securely to each rail; and
(g) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 7.

Corrugated fence:

A fence constructed of corrugated fibre reinforced pressed cement or steel sheeting constructed to manufacturer's specifications or which satisfies the following specifications -

(a) a minimum in-ground length of 25 per cent of the total length of the sheet, but in any case shall have a minimum in-ground depth of 600mm;
(b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement or steel sheet;
(c) the sheets to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturers written instructions; and
(d) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 7.

Brick, stone or concrete fence:

A fence constructed of brick, stone or concrete, which satisfies the following requirements and specifications -

(a) a site classification is to be provided by a professional engineer in accordance with AS2870-1996 as amended;
(b) the footing is to be designed in accordance with AS2870-1996 as amended;

(c) footings of minimum 225mm x 150mm concrete 15MPA or 300mm x 175mm brick laid in cement mortar;
(d) fences to be offset a minimum of 200mm at maximum 3000mm centres or 225mm x 100mm engaged piers to be provided at maximum 3000mm centres;
(e) expansion joints in accordance with the manufacturer's written instructions; and
(f) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 7.

Composite fence

A composite fence which satisfies the following specifications for the brick construction -

(1)
(a) brick piers of minimum 345mm x 345mm at 1800mm centres bonded to a minimum height base wall of 514mm;
(b) each pier shall be reinforced with one R10 galvanised starting rod 1500mm high with a 250mm horizontal leg bedded into a 500mm x 200mm concrete footing and set 65mm above the base of the footing. The top of the footing shall be 1 course (85mm) below ground level;
(c) the minimum ultimate strength of brickwork shall by 20MPA. Mortar shall be a mix of 1 part cement, 1 part lime and 6 parts sand;
(d) the ground under the footings is to be compacted to 6 blows per 300mm and checked with a standard falling weight penetrometer; and
(e) control joints in brickwork shall be provided with double piers at a maximum of 6 metre centres;
or

(2)
(a) brick piers of a minimum 345mm x 345mm x 2700mm centres bonded to the base all; and
(b) each pier shall be reinforced with two R10 galvanised starting rods as previously specified.

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Schedule 3 – Specifications for a sufficient fence on a Commercial Lot or an Industrial Lot

[clause 2.1(2)(b)]

Each of the identified categories in this Schedule, with minimum and maximum specifications where stated, is a sufficient fence on a Commercial Lot or an Industrial Lot.

Galvanised or PVC fence and gate:
A fence constructed of galvanised or PVC coated non-rail link mesh, chain mesh or steel mesh which satisfies the following specifications -

(a) corner posts to be minimum 50mm nominal bore x 3.5mm and with footings of a 225mm diameter x 900mm;
(b) intermediate posts to be minimum 37mm nominal bore x 3.15mm at maximum 3.5m centres and with footings of a 225mm diameter x 600mm;
(c) struts to be minimum 30mm nominal bore x 3.15mm fitted at each gate and two at each corner post and with footings 225mm x 600mm;
(d) cables to be affixed to the top, centre and bottom of all posts and to consist of two or more 3.15mm wires twisted together or single 4mm wire;
(e) non-rail link, chain or steel mesh is to be to a height of 2000mm on top of which are to be three strands of barbed wire carrying the fence to a height of 2400mm in accordance with the requirements and standards of the local planning schemes; and
(f) galvanised link mesh wire to be 2000mm in height and constructed of 50mm mesh 2.5mm galvanised iron wire and to be strained, neatly secured and laced to the posts and affixed to cables. Vehicle entry gates shall provide an opening of not less than 3.6m and shall be constructed of 25mm tubular framework with one horizontal and one vertical stay constructed of 20mm piping and shall be covered with 50mm x 2.5mm galvanised link mesh strained to framework. Gates shall be fixed with a drop bolt and locking attachment.

Other fences -

(a) a fence of cement sheet or steel sheeting constructed to the minimum specifications referred to in Schedule 2;
(b) a fence constructed of aluminium sheeting when supported on posts and rails provided that it is used behind a building line and is of a minimum height of 1800mm but no greater than 2400mm; or
(c) a fence of timber, brick, stone or concrete constructed to the minimum specifications referred to in Schedule 2.

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Schedule 4 – Specifications for a sufficient fence on a Rural Lot or Special Rural Lot

[clause 2.1(2)(c)]

Each of the identified categories in this Schedule, with minimum and maximum specifications where stated is a sufficient fence on a Rural Lot or a Special Rural Lot.

Non-electrified fence:

(a) wire shall be high tensile wire and not less than 2.5mm. A minimum of five wires shall be used, generally with the lower wires spaced closer together than the higher wires so as to prevent smaller stock passing through, and connected to posts in all cases.

(b) posts shall be of indigenous timber or other suitable material including -
  (i) timber impregnated with a termite and fungicidal preservative;
  (ii) standard iron star pickets; or
  (iii) concrete;

(c) cut not less than 1800mm long x 50mm diameter at small end if round or 125mm x 60mm if split or sawn.
  Posts to be set minimum 600mm in the ground and 1200mm above the ground; and

(d) strainer posts shall be not less than 2250mm long and 150mm diameter at the small end (tubular steel to be 50mm in diameter) and shall be cut from indigenous timber or other suitable material. These shall be placed a minimum of 1000mm in the ground.

Electrified fence:

An electrified fence having four wires is a sufficient fence if constructed generally in accordance with a non-electrified fence.

Schedule 5 – Licence for approved electrified fence

[clause 2.11(1)(a)]

This is to certify that (1) _____
Of (2) _____ .
is licensed , subject to the conditions set out below, to have and use an electrified fence on

_____
_____
(address)

From _____ 20 _____ and until this licence is transferred or cancelled.
Dated this _____ day of _____ 20_____

_____
Chief Executive Officer
Shire of East Pilbara

Conditions of Licence:
The holder of the licence must:

(a) display the licence in a prominent position on the land or premises on which the electrified fence has been erected;
(b) upon the request of an authorised person produce to him or her the licence;
(c) within 14 days of a change in the ownership or occupation of the land or premises in respect of which the licence has been granted, notify the Chief Executive Officer in writing of the details of that change or those changes;
(d) obtain the written consent of the local government prior to the commencement of any alteration, addition or other work relating to or affecting the electrified fence; and
(e) comply with AS/NZS 3016:2002.

Transfer by Endorsement

This licence is transferred to (3) _____
of (4) _____
_____
from and including the date of this endorsement.

Dated this _____ day of _____ 20_____

_____
Chief Executive Officer
Shire of East Pilbara

_____
(1) Name
(2) Address
(3) Name
(4) Address

_____

Schedule 6 – Licence for approved razor wire fence

[clause 2.11(1)(b)]

This is to certify that (1) _____
of (2) _____
is licensed , subject to the conditions set out below, to have a fence constructed wholly or partially of razor wire on_____
_____
(address)
from _____ 20 _____ and until this licence is transferred or cancelled.
Dated this _____ day of _____ 20_____

_____
Chief Executive Officer
Shire of East Pilbara

Conditions of licence:

(a) display the licence in a prominent position on the land or premises on which the fence has been erected;
(b) upon the request of an authorised person produce to him or her the licence;
(c) within 14 days of a change in the ownership or occupation of the land or premises in respect of which the licence has been granted, notify the Chief Executive Officer in writing of the details of that change or those changes; and
(d) obtain the written consent of the local government prior to the commencement of any alteration, addition or other work relating to or affecting the fence.

Transfer by Endorsement

This licence is transferred to (3) _____
of (4) _____
_____
from and including the date of this endorsement.

Dated this _____ day of _____ 20_____

_____
Chief Executive Officer
Shire of East Pilbara

(1) Name
(2) Address
(3) Name
(4) Address

Dated: 3 February 2012
The Common Seal of the Shire of East Pilbara was affixed by the authority of a resolution of the local government in the presence of –

LYNNE CRAIGIE, Shire President

ALLEN COOPER, Chief Executive Officer