

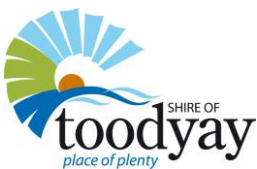


LOCAL GOVERNMENT ACT 1995

SHIRE OF TOODYAY

FENCING LOCAL LAW

2026



Gazette Date:

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Under the powers conferred by the *Local Government Act 1995* and the *Dividing Fences Act 1961* and under all other powers enabling it, the Council of the Shire of Toodyay resolved on 2 July 2026 to make the following local law.

PART 1 PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Toodyay Fencing Local Law 2026*, the purpose and effect of which is as follows:

- (1) The purpose of this local law is to prescribe the minimum standards for a sufficient fence and to regulate the construction, maintenance, and materials of fences within the district so as to ensure safety, amenity, and consistency with applicable legislation.
- (2) The effect of this local law is to establish—
 - (a) the requirements for the construction and maintenance of dividing fences and boundary fences;
 - (b) the circumstances in which approval is required for certain types of fencing;
 - (c) the standards for fencing materials, including electrified and razor wire fencing; and
 - (d) the obligations of owners and occupiers in relation to fences.
- (3) This local law applies throughout the district.

1.2 Commencement

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

1.3 Repeal

On the commencement of this local law, the Shire of Toodyay Local Laws Related to Fencing published in the Government Gazette on 1 November 1999 (page 5461/5466 is repealed).

1.4 Interpretation (Definitions)

In this local law, unless the context otherwise requires :

Term	Meaning
Act	The <i>Dividing Fences Act 1961</i> .

Term	Meaning
applicant	A person who makes an application for an approval or licence under this local law.
AS or AS/NZS	An Australian Standard or Australian/New Zealand Standard published by Standards Australia, as amended from time to time.
authorised person	A person authorised by the local government under section 9.10 of the <i>Local Government Act 1995</i> for the purposes of this local law.
barbed wire fence	A wire or strand of wires having small pieces of sharply pointed wire twisted around it at short intervals.
boundary fence	Has the meaning given to it for the purposes of the Act.
Building Surveyor	An authorised Building Surveyor working in or for the local government.
CEO	The Chief Executive Officer of the local government.
commercial lot	A lot where a commercial use is permitted under the local planning scheme.
dangerous	In relation to a 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.
development approval	An approval for development granted under a local planning scheme made under the <i>Planning and Development Act 2005</i> .

Term	Meaning
district	The district of the local government.
dividing fence	Has the meaning given to it by the Act.
electrified fence	A fence carrying or designed to carry an electric charge.
fence	Any structure, including a retaining wall, used or functioning as a barrier, irrespective of where it is located and includes any gate.
front boundary	The boundary line between a lot and the thoroughfare upon which that lot abuts or in the case of a lot abutting more than one thoroughfare, the boundary line between the lot and the primary thoroughfare.
front fence	A fence erected on the front boundary of a lot or on a line adjacent to the front boundary.
front setback area	The area as defined in the Local Planning Scheme or the Residential Design Codes of WA as being from the edge of the thoroughfare to the line where structures are permitted to be constructed.
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	A lot where an industrial use is permitted under the local planning scheme.
licence	An approval issued under this local law to construct or use an electrified fence or a razor wire fence.
local government	The Shire of Toodyay established under the <i>Local Government Act 1995</i> .
local government property	Anything except a thoroughfare— (a) which belongs to the local government;

Term	Meaning
	(b) of which the local government is the management body under the <i>Land Administration Act 1997</i> ; (c) which is an “otherwise unvested facility” under section 3.53 of the <i>Local Government Act 1995</i> .
local planning scheme	A local planning scheme made by the local government under the <i>Planning and Development Act 2005</i> .
lot	has the meaning given to it in the <i>Planning and Development Act 2005</i> .
notice of breach	A notice referred to in clause 7(1).
occupier	Has the meaning given to it in the <i>Local Government Act 1995</i> .
owner	Has the meaning given to it in the <i>Local Government Act 1995</i> .
premises	Means land or buildings, including any structure, yard, or enclosure, and includes premises described in the application for a licence made under clause 5.1, 6.1 and Schedule 4 of the Shire of Toodyay Fencing Local Law.
razor wire fence	A fence made of or incorporating coiled strong wire with pieces of sharp cutting edges set across it at close intervals.
Residential Lot	A lot where a Residential use is permitted under the local planning scheme.
retaining wall	Any structure which prevents the movement of soil or retains soil or structures to allow ground levels of different elevations to exist adjacent to one another.
rural lot	A lot where a Rural use is permitted under the local planning scheme.
rural use	Includes forestry, broadacre farming, water catchment, environmental purposes, rural industry and related uses consistent with State rural planning guidelines.

Term	Meaning
schedule	A Schedule to this local law.
special rural lot	A lot where a Special Rural use is permitted under the local planning scheme.
sufficient fence	(a) a fence prescribed by this local law as a sufficient fence; or (b) where no such fence is prescribed in relation to a particular lot, a fence agreed upon by the owners of the adjoining lots, and has the same meaning as in section 5 of the Act insofar as it applies to dividing fences.
thoroughfare	Has the meaning given to it in the <i>Local Government Act 1995</i> but does not include a private thoroughfare which is not under the management or control of the local government.

1.5 Application of this local law

This local law applies to all fencing within the district, including dividing fences and boundary fences, but does not—

- (a) affect the operation of the Act as between adjoining owners; or
- (b) require an owner or occupier of land to erect a fence where no fence presently exists.

1.6 Licence fees and charges

All licence fees and charges under this local law are to 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 SUFFICIENT FENCES

2.1 Sufficient Fences

- (1) An owner or occupier of a lot must not erect, or cause to be erected, a dividing fence or a boundary fence that is not a sufficient fence.
- (2) Subject to sub-clauses (3) and (4), a sufficient fence:
 - (a) on a Residential Zoned Lot is a dividing fence or a boundary fence constructed and maintained in accordance with Schedule 2.

- (b) on any Commercial Lot or on any Industrial Lot is a dividing fence or a boundary fence constructed and maintained in accordance with Schedule 3;
 - (c) on any Rural or conservation Lot or is a dividing fence or a boundary fence constructed and maintained in accordance with 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 to comply with Schedule 2;
 - (b) a Residential Lot and a Commercial Lot, a sufficient fence is to comply with Schedule 3;
 - (c) a Residential Lot and any Rural Lot, a sufficient fence is to comply with Schedule 4;
- (4) An owner or occupier may apply under Part 6 for Development Approval to construct a fence that varies from the specifications contained in Schedules 2, 3 or 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 Schedule 2.
- (6) Despite any other provision in this local law, a fence constructed of masonry, stone or concrete is a sufficient fence only if it—
 - (a) does not exceed 1,800 millimetres in height unless otherwise approved under subclause (7); and
 - (b) is designed by a suitably qualified structural engineer and constructed in accordance with that design where—
 - (i) the fence exceeds 1,800 millimetres in height; or
 - (ii) the Building Surveyor requires such design.
- (7) A dividing fence or boundary fence must not exceed 1,800 millimetres in height unless the approval of the local government has been obtained under Part 6 for such a fence.
- (8) A further 400mm of height can be added only when a ‘fence extender’ is at least 50% transparent or has apertures of a minimum 50% of the surface area of the fence extender.

2.2 Requirement for fencing

- (1) All residential lots shall be fenced on both sides and all rear boundaries and provide a tapered fence height forward of the building line to 1.2 metres, except where a development application has been approved.

- (2) All rural and conservation lots shall be fenced on their perimeter or the perimeter of multiple lots that form one ownership, except for a portion of the lot where there is a dwelling in proximity of a road and there is a clear path towards the dwelling
- (3) All industrial lots must be fenced on all sides, and can provide side and rear fencing forward of the approved structures where access to the facility or structures is required
- (4) All commercial lots can be fenced behind the property line in accordance with a development approval.
- (5) All other zones, fencing shall be determined by a development approval.

PART 3 GENERAL

3.1 Fences within front setback areas

- (1) A person must not, without a Development Approval of the local government, erect a free-standing fence greater than 1,200 millimetres in height within the front setback area of a Residential Lot, except instances under Subclause 2.2(1)

3.2 Gates in fences

- (1) A person must not erect a gate in a fence that—
 - (a) opens outward over any thoroughfare or public place; or
 - (b) when opened, does not either open into the lot or slide parallel and on the inside of the fence.
 - (c) Opens onto a public reserve or Crown land without consent.

3.3 Depositing fencing material on public place

- (1) A person must not deposit or permit the deposit of any materials used in the construction or maintenance of a fence on any thoroughfare, public place, or local government property without the prior approval of the local government.

3.4 Fences on all Rural Lots

- (1) A person must not, without the written approval of the local government, erect a fence on a Rural Lot—
 - (a) of a height greater than 1,500 millimetres.

3.5 Maintenance of Fences

- (1) An owner of a lot on which a fence is erected must maintain the fence in good condition so as to prevent it from becoming dangerous, dilapidated, or unsightly, having regard to the amenity of the locality.

3.6 General discretion of the local government

- (1) Despite clause 2.1, the local government may approve the erection, alteration or repair of a dividing fence that is not a sufficient fence where all owners of the lots to be separated by the fence join in an application under Part 6.
- (2) In determining an application under subclause (1) or any application for approval under this local law, the local government may have regard to whether the proposed fence would have an adverse effect on—
 - (a) the safe or convenient use of any land; or
 - (b) the safety or convenience of any person; or
 - (c) the visual amenity of the locality.

PART 4 FENCING MATERIALS

4.1 Structural design

- (1) Where required by the Building Surveyor, fencing designs are to be certified by a practising structural engineer as being suitable for the relevant site conditions and wind loadings for the district, in accordance with AS/NZS 1170.0: Structural design actions – General principles, as amended from time to time.

4.2 Pre-used fencing materials

- (1) A person must not construct a fence on any Lot from pre-used materials without the approval of the local government.
- (2) Where the local government approves the use of pre-used materials, that approval may be conditional on the applicant painting, treating or otherwise finishing the materials as directed by the Building Surveyor.

4.3 General Fencing Materials

- (1) materials can only be constructed from conventional materials unless approved by the local government.
- (2) The use of materials that are excessively rusted, rotten or otherwise degraded such that they detract from the amenity of the locality are not permitted.

4.4 Barbed Wire, spiked or jagged materials and broken glass

- (1) This clause does not apply to a fence constructed wholly or partly of razor wire, which is dealt with in Part 5.
- (2) An owner or occupier of any Residential or any Commercial Lot must not erect, affix or permit to remain on any fence on such a lot

- any barbed wire or other materials with spiked or jagged projections, unless approved by the local government.
- (3) An owner or occupier of an Industrial Lot must not erect, affix or permit to remain as part of any fence on that Lot any barbed wire or other materials with spiked or jagged projections unless—
 - (a) the posts used to carry the barbed wire, or other materials are angled at not more than 45 degrees inward to the vertical;
 - (b) the barbed wire or other materials are not less than 2,000 millimetres above ground level; and
 - (c) the lowest strand of barbed wire or other materials is set back at least 150 millimetres from the face of the fence.
 - (4) If 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 boundary a sufficient distance to ensure no part of the posts, barbed wire or other materials encroaches onto adjoining land or a thoroughfare or Crown land.
 - (5) An owner or occupier of a lot must not affix or allow to remain as part of any fence or wall, whether internal or external, any broken glass.

PART 5 ELECTRIFIED AND RAZOR WIRE FENCES

5.1 Electrified fences

- (1) An owner or occupier of a lot, other than any Rural Lot, must not construct, install, or use an electrified fence on that lot without the approval of the local government under Part 6.
- (2) The local government must not approve an electrified fence—
 - (a) on a lot that is, or that abuts, a Residential Lot; or
 - (b) unless the fence complies with AS/NZS 3016: Electrical installations – Electric security fences, as amended from time to time; and
 - (c) unless provision is made so that the electrified fence can be rendered inoperable during the normal hours of business operations on the lot, if any.

5.2 Razor wire fences

- (1) An owner or occupier of a lot must not construct or erect a fence wholly or partly of razor wire without the approval of the local government under Part 6.
- (2) The local government must not approve a razor wire fence—

- (a) where any razor wire used in the construction of the fence would be less than 2,000 millimetres or more than 2,400 millimetres above ground level.

5.3 Prohibited fencing materials

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

PART 6 APPROVALS

6.1 When approval is required

- (1) An approval of the local government is required under this Part where a person seeks to—
 - (a) construct a fence that varies from a specification in Schedules 2, 3 or 4;
 - (b) construct, install or use an electrified fence;
 - (c) construct or erect a razor wire fence;
 - (d) construct a fence within the front setback area contrary to clause 3.1;
 - (e) construct a fence on a Rural Lot contrary to clause 3.4; or
 - (f) construct a fence from pre-used materials under clause 4.2.
- (2) The local government may specify additional circumstances in which its approval is required by policy, provided that the policy is consistent with this local law and any written law.

6.2 Application for approval

- (1) A person required to obtain an approval under this local law must lodge a development application to the Shire of Toodyay.
- (2) An application must—
 - (a) be in the form approved by the local government;
 - (b) be signed by the applicant and the owner of the lot (if different);
 - (c) include sufficient information to demonstrate compliance with this local law, including a site plan, elevations, materials, and construction details where required; and
 - (d) be accompanied by any fee imposed and determined by the local government under 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 the application before determining it.

- (4) The local government may refuse to consider an application that does not comply with this clause.

6.3 Determination of application

- (1) The local government may—
 - (a) approve an application unconditionally;
 - (b) approve an application subject to conditions; or
 - (c) refuse to approve an application.
- (2) The local government must give written notice of its decision to the applicant.
- (3) Where an application is approved, the notice of approval must include any conditions to which the approval is subject.
- (4) Conditions may relate to matters including, but not limited to—
 - (a) the design, materials, height, or location of the fence;
 - (b) safety and visibility for pedestrians and vehicles;
 - (c) maintenance and appearance of the fence; or
 - (d) the duration of the approval.

6.4 Compliance with approval

An applicant, and the owner or occupier of the lot to which an approval relates, must comply with all terms and conditions of that approval.

6.5 Duration of approval

Unless otherwise stated in the approval—

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

6.6 Transfer and cancellation of licence – electrified and razor wire fences

- (1) A licence granted for an electrified fence or razor wire fence may be transferred to another owner or occupier of the same lot, upon written application to the local government and payment of any prescribed transfer fee.
- (2) Subject to the *Local Government Act 1995* and any applicable regulations, the local government may cancel a licence if—
 - (a) the fence is no longer constructed or operated in accordance with this local law, the approval, or any relevant standard; or
 - (b) the licence holder has breached a condition of the licence.

- (3) The local government must give written notice of a cancellation, and the cancellation takes effect on the date specified in that notice.

PART 7 NOTICES OF BREACH

7.1 Notices of Breach

- (1) Where the local government is satisfied that a person has breached a provision of this local law in relation to a fence on a lot, the local government may give a written notice of breach to the owner of that lot.
- (2) The notice of breach must:
 - (a) specify the provision of this local law that has been breached;
 - (b) specify the particulars of the breach; and
 - (c) state steps that must be taken to remedy the breach and the period within which those steps must be completed.
- (3) If the owner fails to comply with a notice of breach, the local government may—
 - (a) enter the lot with its employees, agents or contractors and take whatever remedial action is necessary to ensure compliance; and
 - (b) recover the costs of doing so from the owner in a court of competent jurisdiction.
- (4) This clause is subject to section 3.25 and item 12 of Division 1 of Schedule 3.1 to the *Local Government Act 1995*, and any entry on to land is to be in accordance with Part 3, Division 3 of that Act.

PART 8 OFFENCES AND PENALTIES

8.1 Offences and Penalties

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) A person who fails to comply with a notice of breach commits an offence.
- (3) The use of fencing to obstruct a thoroughfare is an offence under Clause 71 of the *Land Administration Act 1997*.

8.2 General Penalty

A person who commits an offence under this local law is liable on conviction to a penalty not exceeding \$5,000, and if the offence is a continuing offence, to an additional daily penalty not exceeding \$500 for each day or part of a day during which the offence continues after the day on which the person is convicted.

8.3 Modified Penalties

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16 of the *Local Government Act 1995*.
- (2) The amount appearing in the final column of Schedule 1, directly opposite an offence described in that Schedule, is the modified penalty for that offence.
- (3) Before giving an infringement notice to a person for a prescribed offence, an authorised person should be satisfied that—
 - (a) the commission of the offence is a relatively minor matter; and
 - (b) only straightforward issues of law and fact are involved in determining whether the offence was committed, and the facts in issue are readily ascertainable.

8.4 Forms of Notices

- (1) For the purposes of this local law –
 - (a) the form of an infringement notice under sections 9.16 and 9.17 of the *Local Government Act 1995* is to be in the form of Form 2 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
 - (b) the form of a withdrawal of infringement notice under section 9.20 of the *Local Government Act 1995* is to be in the form of Form 3 of Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

PART 9 OBJECTIONS AND REVIEW

9.1 Objections and review

Where the local government makes a decision under this local law as to the grant, refusal, cancellation or condition of an approval or licence, the provisions 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.

SCHEDULE 1 – OFFENCES AND MODIFIED PENALTIES

(Clause 8.3)

Item	Clause	Description of offence	Modified penalty (\$)
1	2.1(1)	Erect a fence that is not a sufficient fence	250
2	3.1	Erect a fence within a front setback area contrary to approval requirements	250
3	3.2	Erect a gate in a fence that does not open into the lot or slide parallel inside the fence	200
4	3.3	Deposit fencing materials on a thoroughfare, public place, or local government property without approval	250
5	3.5	Fail to maintain a fence in good condition, resulting in a dangerous, dilapidated, or unsightly fence	250
6	4.2(1)	Construct a fence from pre-used materials without approval	250
7	4.4(2)	Erect or use barbed wire or spiked or jagged materials on a Residential or Commercial Lot without approval	250
8	4.4(5)	Affix or use broken glass in a fence	250
9	5.1(1)	Construct, install or use an electrified fence without approval	250
10	5.2(1)	Construct or erect a razor wire fence without approval	250
11	6.4	Fail to comply with a term or condition of an approval	250
12	7.1(2), 7.1(3)	Fail to comply with a notice of breach	250

SCHEDULE 2 – SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT

(Clause 2.1(2)(a))

Each fence described in this Schedule is a sufficient fence on a Residential Lot, provided that where required by the Building Surveyor the design is certified by a practising structural engineer as suitable for the site conditions and wind loadings in accordance with AS/NZS 1170.0.

1. Timber picket fence

A timber fence that—

- (a) uses corner posts not less than 125mm x 125mm x 2400mm and intermediate posts not less than 125mm x 75mm x 2400mm at centres not exceeding 2,400mm;
- (b) has posts embedded at least 600 millimetres into the ground;
- (c) provides rails of not less than 75 x 50 millimetres with joints staggered and fixed to each post;
- (d) is fitted with vertical timber pickets not less than 75 x 20 millimetres in section, fixed securely to the rails at spacings not exceeding 75 millimetres; and
- (e) has an overall height of 1,800 millimetres, except within the front setback area where clause 3.1 applies.

2. Corrugated sheeting fence

A fence constructed of corrugated fibre-reinforced cement or steel sheeting that—

- (a) has a minimum in-ground depth of 600 millimetres or 25 per cent of the total height of the sheet, whichever is greater;
- (b) consists of a single continuous sheet for the full height of the fence;
- (c) is lapped and capped using proprietary capping in accordance with the manufacturer's written instructions; and
- (d) has an overall height of 1,800 millimetres, except within the front setback area where clause 3.1 applies

3. Brick, stone, or concrete fence

A fence constructed of brick, stone, or concrete that—

- (a) has footings and foundations designed in accordance with AS 2870: *Residential slabs and footings*, as amended;
- (b) provides engaged piers or offsets at centres not exceeding 3,000 millimetres;
- (c) incorporates expansion joints as required by the manufacturer's or engineer's recommendations; and
- (d) has an overall height of 1,800 millimetres, except within the front setback area where clause 3.1 applies.

4. Composite fence

A composite fence combining masonry piers and another infill material that—

- (a) includes brick or stone piers of not less than 345 x 345 millimetres at centres not exceeding 1,800 millimetres, bonded to a base wall of not less than 514 millimetres in height;
- (b) provides appropriate reinforcement of piers and foundations in accordance with engineering design; and
- (c) has an overall height of 1,800 millimetres, except within the front setback area where clause 3.1 applies.
- (d) A further 400mm of height can be added only when a 'fence extender' is at least 50% transparent or has apertures of a minimum 50% of the surface area of the fence extender.

SCHEDULE 3 – SPECIFICATIONS FOR A SUFFICIENT FENCE ON A COMMERCIAL OR INDUSTRIAL LOT

(Clause 2.1(2)(b))

Each fence described in this Schedule is a sufficient fence on a Commercial or Industrial Lot.

1. Mesh fence with barbed wire

A fence constructed of galvanised or PVC-coated chain mesh, link mesh, or steel mesh that -

- (a) uses corner posts of not less than 50 millimetres nominal bore with footings not less than 225 millimetres in diameter and 900 millimetres in depth;
- (b) uses intermediate posts of not less than 37 millimetres nominal bore at centres not exceeding 3,500 millimetres with footings not less than 225 millimetres in diameter and 600 millimetres in depth;
- (c) provides struts at each corner post and each gate post;
- (d) attaches mesh to posts and straining wires so as to provide a taut, secure barrier to a height of 2,000 millimetres; and
- (e) includes three strands of barbed wire above the mesh, carried on angled extensions, to an overall height not exceeding 2,400 millimetres, installed in accordance with clause 4.4. or
- (f) is approved by the Shire of Toodyay through a development application.

SCHEDULE 4 – SPECIFICATIONS FOR A SUFFICIENT FENCE ON ANY RURAL LOT

(Clause 2.1(2)(c))

Each fence described in this Schedule is a sufficient fence on any Rural Lot.

1. Non-electrified wire fence

A fence constructed of posts and wire that—

- (a) uses high tensile wire of not less than 2.5 millimetres diameter;
- (b) has at least five strands of wire, generally with the lower wires spaced closer together to prevent smaller stock passing through;
- (c) uses posts of indigenous timber, concrete, steel star pickets or other suitable material, not less than 1,800 millimetres long, set at least 600 millimetres in the ground and providing a fence height of at least 1,200 millimetres; and
- (d) uses strainer posts of not less than 2,250 millimetres in length and 150 millimetres diameter (or 50 millimetres diameter for tubular steel) set at least 1,000 millimetres in the ground at ends and changes of direction.

2. Electrified wire fence

An electrified fence on a Rural or Special Rural Lot is a sufficient fence if—

- (a) it has at least four wires and is otherwise constructed generally in accordance with the specifications for a non-electrified fence; and
- (b) any associated energiser and installation comply with AS/NZS 3016 and any other applicable standard.

SCHEDULE 5 – LICENCE FOR APPROVED ELECTRIFIED FENCE

Clause 5.1, 6.1 and Schedule 4 of the Shire of Toodyay Fencing Local Law
This licence is given to a person who applies for it to have and use an electrified fence.

Certification

This is to certify that: *Name:* _____
Of address: _____
is licensed, subject to the conditions set out below, to have and use an electrified fence on:
Address of Property: _____
From (Date): _____ and until this licence is transferred or cancelled.

Signature: _____ Chief Executive Officer
Shire of Toodyay Date: _____

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 a Building Surveyor 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 Electrical installations - Electric security fences.

Transfer by Endorsement

Name: _____
The licence is transferred to: _____ of Address: _____
From and including the date of this endorsement.
Date of endorsement: _____

Signature: _____ Chief Executive Officer
Shire of Toodyay Date: _____

SCHEDULE 6 – LICENCE FOR APPROVED RAZOR WIRE FENCE

Clause 5.1, 6.1 and Schedule 4 of the Shire of Toodyay Fencing Local Law
This licence is given to a person who applies for it to have a fence constructed wholly or partially of razor wire.

Certification

This is to certify that: *Name:* _____
Of address: _____

is licensed, subject to the conditions set out below, to have a fence constructed wholly or partially of razor wire at:

Address of Property: _____

From (Date): _____ and until this licence is transferred or cancelled.

Signature: _____
Chief Executive Officer
Shire of Toodyay

Date: _____

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 fence has been erected;
- (b) upon the request of a Building Surveyor 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

Name: _____
The licence is transferred to: _____
of Address: _____
From and including the date of this endorsement.
Date of endorsement: _____

Signature: _____
Chief Executive Officer
Shire of Toodyay

Date: _____

