

Fences

Document No: BS-0016

Introduction

Fences are most commonly used to provide privacy from neighbouring properties. They could also be used to provide security, safety and reduce road noise entering your property.

This information sheet explains the requirements for the approval and general requirements relating to fencing.

Definitions

A **Fence** is a vertical, or near vertical structure that is used as a barrier to enclose an area of land;

A **Dividing Fence** is a fence that separates the land of different owners whether the fence is on the common boundary of adjoining lands or on a line other than the common boundary. A dividing fence does not include a retaining wall;

A **Sufficient Fence** is a fence prescribed by the local government local law or a fence that is agreed upon by adjoining owners provided that it does not fall below the standard prescribed by the relevant local government local law;

A **Primary Street** is the sole or principal public road that provides access to a site;

A **Secondary Street** is, in the case of a site that has access from more than one public road, a road that is not the primary street but which intersects with or adjoins that road;

The **Front Setback Area** is the area of land between the building on the property and the boundary facing the road. If there is no building on the property, it is the area between the required minimum setback of the building and the boundary facing the road.

Information and Advice

The Building Act 2011 and the Building Regulations 2012 require that a Building Permit be taken out for a structure, including a fence, prior to commencing any work on site. The National Construction Code (NCC), the Residential Design Codes and the Town Planning Scheme set out the minimum requirements applicable to the location and construction of fences and walls.

There are three main types of fences, dividing fences, front fences and fences used as pool barriers. The provisions of the Dividing Fences Act 1961 govern dividing fences. Issues regarding the agreement of the type of fence, cost, colours, heights and location are detailed in this Act. Front fences are those that face a primary or secondary street. The City has introduced a Policy on these fences that governs the location, height, materials and colours. Fences used for swimming pool and spa barriers are regulated by the Building Regulations 2012. The Regulations stipulate the minimum safety standards that a barrier is to be constructed. These standards are detailed further in the 'Private Swimming Pools and Spas' information sheet.

When are fences or walls required?

▪ On Common Boundaries-

The law does not require fences or walls on common boundaries, but if a fence is installed, it needs to comply with the Dividing Fences Act 1961 and the City's Local Law on fencing.

- **On the Front Boundary -**
The law does not require fences or walls on boundaries facing the street, but if a fence is installed, it needs to comply with the City's Local Law on fencing.
- **As a Barrier for a Swimming Pool or Spa**
The law requires a suitable barrier around a swimming pool or spa. If you are using a fence or wall as this barrier, it needs to comply with the Building Regulations 2012.

Is a Building Permit required for a fence?

Yes. A Building Permit is required for all fences and walls.

What plans and specifications do I need to submit with my application for a Building Permit?

Two copies of the following plans and details are required:

- A full site plan is to be submitted, showing the height and location of the fence or wall in relation to the property boundaries and existing buildings on the property. This plan is to be drawn to a minimum scale of 1:200;
- Structural details of the fence or wall are to be submitted.

What materials must be used to construct a fence or wall?

- **On Common Boundaries-**

The City's Local Law specifies the materials that can be used, dependent upon the use of the land. A copy of this part of the Local Law is attached to assist you with the acceptable materials. Special provisions are detailed which prohibit the use of barbed wire, broken glass, electrified and razor wire fences in most circumstances.

- **On the Front Boundary -**

The City's Local Law states that a person shall construct a fence from only brick, stone, concrete, wrought iron, tubular steel framed, link mesh, timber, plastic coated or galvanized link mesh, corrugated fibre cement sheeting, colour bonded metal or a metal approved by the Building Surveyor. Special provisions are detailed which prohibit the use of barbed wire, broken glass, electrified and razor wire fences in most circumstances.

- **As a Barrier for a Swimming Pool or Spa**

The Building Regulations 2012 require that fencing used for a barrier around a swimming pool or spa meet the structural and design requirements detailed in AS1926.1. These standards are detailed further in the 'Private Swimming Pools and Spas' information sheet.

Do I need a Structural Engineer's design for the fence or wall?

Yes. The engineer will need to specify that the design is based on region D, category 2, Importance level 2 cyclonic conditions.

Who submits the application?

Either the property owner or the party contracted to construct the fences or walls must submit the application.

What is the maximum height that I can build a fence on a Residential property?

- **Dividing fences** – 1.8 metres is the maximum height. Fences located within the front setback area are to be a maximum height of 1.2 metres unless the wall or fence encloses a swimming pool or spa or the sole effective outdoor living area for the property;
- **Fences facing the Primary Street** – 1.8 metres is the maximum height, however, fencing above a height of 1.2 metres is to be visually permeable unless the wall or fence encloses a swimming pool or spa or the sole effective outdoor living area for the property.
- **Fences facing the Secondary Street or a Reserve** – 1.8 metres is the maximum height.

Where can I locate a fence on my property?

A dividing fence can be located on the boundary line of your property, but a front fence must be located within your property boundaries. In addition to this, a visual truncation must be provided at street corners (6.0m x 6.0m truncation) and at vehicle driveways where the fence is higher than 750mm. (1.5m x 1.5m truncation):

What colour do I need to have a fence that faces a road or reserve?

- **Dividing fences** – A colour that is agreed upon by the owners of each property;
- **Fences facing the Primary Street** – A colour that matches the walls of the dwelling or in an earth or vegetation colour. If post and panel construction is chosen, the panels are to match or harmonise with the walls of the house and the posts and fence capping are to be finished in an earth or vegetation colour that contrasts with the colour of the fence panel;
- **Fences facing the Secondary Street or a Reserve** – A colour that matches the walls of the dwelling or in an earth or vegetation colour.

What side of the fence do I need to place the posts of the fence?

- **Dividing fences** – On the side that is agreed upon between the owners of each property;
- **Fences facing the Primary Street** – For post and panel construction, exposed posts must be of a contrasting colour;
- **Fences facing the Secondary Street or a Reserve** – If the fence is constructed in a post and rail form, the posts and rails shall be placed on the inside of the fence.

Fees

Refer to the Development & Regulatory Services Fees and Charges Information Sheet for further information.

Additional Information

A full copy of the Local law in relation to fences is available from the City of Karratha Administration Office. For detailed advice about fences, please call the City of Karratha Building Services on 9186 8555. If the enquiry is in relation to a dividing fence, you will need to contact the Department of Commerce Building Commission for further information on 1300 489 099 or visit their website:

Building Commission Dividing Fences Information

Forms / Links

Building Permit Application Form – BA1 (Certified) or BA2 (Uncertified) – Available here – [Application Forms](#)

Dividing Fences – A Guide – Available here –

[Dividing Fences: A Guide](#)

Requirement Checklist

Notes

- A Building Permit is required before commencing any work;
- A Building Permit is required for all fences;
- A Practising Structural Engineer's certified detail is required for the fence;
- A full site plan is to be submitted with the Building Permit Application, showing heights and locations of the fence or wall;
- The Department of Commerce Building Commission administer dividing fences.

Disclaimer

This information sheet is provided as generalised information. While we aim to keep the content of this document current and accurate, we accept no responsibility or warranties for actions based on the information provided. The City of Karratha encourages you to seek professional advice before acting on any information contained within this document. Please contact the City of Karratha if you wish to comment on the forms provided and information contained within. Any reported errors will be amended.

FIRST SCHEDULE

SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT

The following is a “sufficient fence” on a Residential Lot:

- A. A fence constructed of corrugated fibre reinforced pressed cement or steel sheeting which satisfies the following specifications:
 - (a) the fence design being certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with AS1170
 - (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 ;
 - (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 6; and
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SECOND SCHEDULE

SPECIFICATIONS FOR A SUFFICIENT FENCE ON A COMMERCIAL LOT AND AN INDUSTRIAL LOT

Each of the following is a “sufficient fence” on a Commercial Lot and an Industrial Lot:

- A. A fence constructed of galvanised or PVC coated rail-less link mesh, chain mesh or steel mesh which satisfies the following specifications:
 - (a) the fence design being certified by a structural engineer (or manufacturer) as being suitable for wind loadings found in a Region D Category 2 area in accordance with AS1170
 - (e) rail-less link, chain or steel mesh is to be to a height of 1800mm on top of which are to be three strands of barbed wire carrying the fence to a height of 2400mm in accordance with clause 12(3) of these Local Laws; and
 - (f) galvanised link mesh wire to be 2000mm in height. Vehicle entry gates shall provide an opening of not less than 3.6m. Gates shall be fixed with a drop bolt and locking attachment.
- B. A fence of fibre reinforced cement sheet or steel sheeting constructed to the minimum specifications referred to in Item A of the First Schedule.

THIRD SCHEDULE

SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RURAL LOT AND ON A RURAL RESIDENTIAL LOT

(1) In the case of a non-electrified fence, a sufficient fence on a Rural Lot is a fence of posts and wire construction, the minimum specifications for which are:

- (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 -
 - timber impregnated with a termite and fungicidal preservative;
 - standard iron star pickets; or
 - concrete;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
 - (c) strainer posts shall be not less than 2250mm long and 50mm 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.
- (2) An electrified fence having four wires only is a sufficient fence if constructed generally in accordance with (1).

Dated this 21 July 2003.

The Common Seal of the
Shire of Roebourne was)
affixed in the presence of:)

PRESIDENT

CEO