

Kinds of building work for which a building permit is not required

In this clause —

pergola means an open structure that does not have a roof but may have a covering of open weave permeable material.

Table

Item	Description of building work for which building permit is not required
1.	Construction, erection, assembly or placement of a freestanding Class 10a building that — <ul style="list-style-type: none"> (a) has a floor area not exceeding 10 m²; and (b) is no more than 2.4 m in height; and (c) is not located in wind region C or D as defined in AS 1170.2.
2.	Renovation, alteration, improvement, repair or maintenance of a building or incidental structure if the building work — <ul style="list-style-type: none"> (a) will not adversely affect the structural soundness of the building or incidental structure and does not include — <ul style="list-style-type: none"> (i) an increase or decrease in the floor area or height of the building or incidental structure; or (ii) underpinning or replacement of footings; or (iii) the removal or alteration of any element of the building or incidental structure that is contributing to the support of any other element of the building or incidental structure; and (b) is done using materials commonly used for the same purpose as the material being replaced; and (c) will not change the use or classification of the building or incidental structure; and (d) will not adversely affect the safety and health of the occupants or other users of the building or incidental structure or of the public; and (e) will not affect the way in which the building or incidental structure complies with each building standard that applies to the building or incidental structure; and (f) is not work of a kind to which section 76, 77, 78 or 79 relates; and (g) is not subject to an order, agreement or permit under the Heritage Act.
3.	Construction, erection, assembly or placement of a temporary office, shed or sanitary facility to be used by a builder in connection with building work carried out on the land on which the office, shed or sanitary facility is, or is proposed to be, located.
4.	Construction, erection, assembly or placement of a fence, screen or similar structure, other than a fence forming part of an enclosure for a private swimming pool, if — <ul style="list-style-type: none"> (a) the fence, screen or similar structure is constructed in accordance with a local law made under the <i>Local Government Act 1995</i> section 9.60 that applies to the construction of the fence, screen or similar structure in the district in which the fence, screen or similar structure is, or is to be, located; or <p>Shire of Coolgardie DOES have a Local Law in relation to Fencing</p>

Item	Description of building work for which building permit is not required
	<p>(b) the fence, screen or similar structure is, or is to be, located in a district in which there is no local law of a type referred to in paragraph (a) and the fence, screen or similar structure —</p> <ul style="list-style-type: none"> (i) if constructed of masonry, is no more than 0.75 m in height; and (ii) if constructed of a material other than masonry, is no more than 1.8 m in height; and (iii) is not located in wind region C or D as defined in AS 1170.2.
5.	<p>Construction, erection, assembly or placement of a mast, antenna or similar structure that —</p> <ul style="list-style-type: none"> (a) is not located in wind region C or D as defined in AS 1170.2; and (b) if attached to a building — <ul style="list-style-type: none"> (i) is no more than 2 m in height above the highest point of attachment to the building; and (ii) will not affect the way in which the building complies with each building standard that applies to the building; <p>and</p> <ul style="list-style-type: none"> (c) if not attached to a building, is no more than 3 m in height.
6.	<p>Construction, erection, assembly or placement of a retaining wall that —</p> <ul style="list-style-type: none"> (a) retains ground no more than 0.5 m in height; and (b) is not associated with other building work or with the protection of land adjoining the land on which the retaining wall is located; and (c) is not work of a kind to which section 76, 77, 78 or 79 relates.
7.	<p>Construction, erection, assembly or placement of a pergola associated with a Class 1 building that —</p> <ul style="list-style-type: none"> (a) is no more than 2.4 m in height; and (b) is not located in wind region C or D as defined in AS 1170.2; and (c) covers an area not exceeding 20 m².
8.	<p>Construction, erection, assembly or placement of a water storage tank with a capacity of 5 000 L or less.</p>
9.	<p>Building work for a park home or annexe as those terms are defined in the <i>Caravan Parks and Camping Grounds Act 1995</i> section 5(1).</p>
10.	<p>Attachment of photovoltaic panels or solar hot water systems to the roof of a Class 1 or Class 10a building that is not located in wind region C or D as defined in AS 1170.2.</p>

Item	Description of building work for which building permit is not required
11.	Building work for which a building licence was not required under the former provisions if, before commencement day — <ul style="list-style-type: none"> (a) the on-site building work had commenced; or (b) a contract to carry out the building work was entered into.
12.	Building work for buildings owned or occupied by, or under the control or management of the Crown in right of the State or a department, agency or instrumentality of the Crown in right of the State that — <ul style="list-style-type: none"> (a) commences before 30 June 2014; and (b) has, when it commences, an estimated value of less than \$50 000.

[Clause 2 amended in Gazette 15 Jun 2012 p. 2515; 18 Dec 2012 p. 6576.]

Shire of Coolgardie Local Fencing Law

GOVERNMENT GAZETTE. WA 7227

LOCAL GOVERNMENT ACT

The Municipality of the Shire of Coolgardie

BY-LAWS RELATING TO FENCING AND OBSTRUCTIONS AT INTERSECTIONS

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 27th day of October 1994, to make and submit for confirmation by the Governor the following By-laws.

1. In these By-laws unless the context otherwise requires-

"Council" means the Council of the Shire of Coolgardie.

"District" means the municipal district of the Shire of Coolgardie.

"Dangerous Fence" means a fence declared by a Building Surveyor to be in a dangerous condition by reason of any one or more of the following, namely; faulty design, location, construction, deterioration of materials, damage by termites, decay, damage by collision, changes in ground levels, or any other cause or causes.

"Fence" means a fence abutting a road way or street or a fence on or near the boundary line of a lot and includes any free standing wall and any retaining wall.

"Industrial and Commercial Zone" means any portion of the District that is classified or zoned industrial and commercial by a Town Planning Scheme or By-Law for the time being in force.

"Residential Zone" means any portion of the District that is classified or zoned Residential by a Town Planning Scheme or By-Law for the time being in force.

"Building Surveyor" means a building surveyor appointed by the Shire of Coolgardie.

"Dividing Fence" means a fence that separates the land of different owners whether

the fence is on the common boundary of the adjoining land or on a line other than the common boundary.

"Town Planning Scheme" means the Town Planning Scheme of the Shire of Coolgardie for the time being in force under the provisions of the Town Planning and Development Act 1982 (as amended).

2. Subject to By-Law 3-

(a) A fence within a Residential Zone constructed in accordance with the specifications set out in the First Schedule hereto is hereby prescribed as a "sufficient fence" for the purpose of the Dividing Fences Act 1961 (as amended).

(b) A fence within an Industrial and Commercial Zone constructed in accordance with the specifications set out in the Second Schedule hereto is hereby prescribed as a "sufficient fence" for the purposes of the Dividing Fences Act 1961 (as amended).

3. (a) Where a fence is erected on the boundary between land in a Residential Zone and land in some other zone then a "sufficient fence" for the purposes of the Dividing Fences Act 1961 (as amended) shall be prescribed as a "sufficient fence" for a Residential Zone.

(b) Where a fence is erected on a boundary line between land in differing zones neither of which is a Residential Zone the Council shall determine which schedule shall apply for the purposes of prescribing a "sufficient fence" for the purposes of the Dividing Fences Act 1961 (as amended).

4. (a) No person shall construct a fence of second hand material within the townsites of Kambalda and Kambalda West under any circumstance, and in any other case without the written consent of the Council which consent the Council in its absolute discretion may refuse to grant or may grant upon such terms and conditions as it deems fit.

(b) No fence shall be constructed of sheet metal unless the fence to be erected is adequately capped.

5. (a) Within a Residential Zone, subject to By-law 7 a front boundary fence not exceeding 1200mm in height may be constructed along the full width of the frontage of a lot.

(b) A fence within a Residential Zone in excess of 1200mm and not exceeding 1800mm in height may be constructed along the front boundary of a lot subject to-

(i) approval by Council; and

(ii) By-law 7 being complied with.

(c) A fence within a Residential Zone shall not, within 7.5 metres of the front boundary of the lot, exceed 1200mm in height, without the express approval of Council.

(d) The Council at its discretion may upon written application approve a fence other than those permitted by these By-Laws.

6. No person shall erect any structure in front of the building line in an Industrial, Commercial or Residential Zone other than a fence permitted by these By-Laws without having first made written application to and obtained the written approval of the Council.

7228 GOVERNMENT GAZETTE. WA [31 December 1996

7. No person shall erect or permit to be erected on any land owned or occupied by him any wall, fence, hedge, tree, shrub or other obstruction of a greater height than 750mm measured from the level of the footpath, road or right-of-way immediately adjoining the same

within the area enclosed by the boundaries of the streets, roads, or rights-of-way and a line joining the points located at a distance of 6 metres measured horizontally along each street, or road or right-of-way boundary from the point of intersection of the streets, roads or rights-of-way or from the point of intersection of a prolongation of the said boundaries except that this By-law shall not apply to intersections or junctions having the standard truncation of 8.5 metres or more.

8. No person shall erect a dividing fence greater than 1800mm in height in a Residential Zone without having first made application to and obtained the written approval of the Council.

9. (a) No person shall commence to erect or proceed with the erection of a retaining wall which is on a boundary line unless and until he has lodged with the Council two (2) copies of a plan and specifications thereof and in the case of a retaining wall exceeding 1000mm in height when required by the Council, engineering calculations in respect thereof and the Council has approved a copy of the plan and specifications and (where applicable) the calculations.

(b) No person shall erect or permit a dividing fence to act as a retaining wall without first having obtained Council permission.

10. A fence wholly or partly of barbed wire complying with these By-laws may only be erected-

(i) In any area that is used for rural purposes;

(ii) In an Industrial and Commercial Zone if no barbed wire is used below a height of 1800mm from the ground; or

(iii) In any other part of the Shire of Coolgardie with the written approval of the Council.

11. No person shall erect or maintain a dangerous fence anywhere within the Shire.

12. The use of metal spikes, broken glass or any other potentially dangerous material in or on any fence in the district is prohibited.

13. The owner or occupier of land on which a fence is erected shall maintain the fence in good condition and in such a manner as to prevent it from becoming dilapidated, unsightly or prejudicial to property in or to the inhabitants of the neighbourhood.

14. The Council may give notice in writing to the owner or occupier of any land upon which there is a dangerous fence or a fence which is in the opinion of the Building Surveyor in bad condition or repair, dilapidated, unsightly or prejudicial to property in or to the inhabitants of the neighbourhood or is contrary to the provisions of these By-laws requiring such owner or occupier to repair, paint, or maintain such fence within the time stipulated in the notice or in that time give satisfactory reason why the notice should not be complied with or be given extra time in which to comply. Any person who fails to comply with the terms of any notice served under these By-laws commits an offence.

15. Where the owner or occupier of land fails to comply with a written notice given by the Council in accordance with By-law 14 of these By-laws the Council may enter upon such land and carry out the works specified in the written notice and the costs and expenses incurred by the Council in so doing may be recovered from such owner or occupier in a Court of competent jurisdiction.

16. Any person who commits a breach of these By-laws commits an offence and shall on conviction be liable to-

(i) a maximum penalty of \$200, and

(ii) in addition a maximum daily penalty of \$20 for each day during which the offence occurs.

First Schedule

Residential Zone

A sufficient fence shall be-

(a) A free standing fibro cement fence having specifications as follows-

(i) A height of 1500mm;

(ii) An in-ground depth of 25% of the total length of the sheet with a minimum inground length of 600mm;

(iii) The combined height and depth of the fence shall consist of a single continuous fibre reinforced cement sheet;

(iv) Fibre reinforced cement sheets are to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturers' specifications.

31 December 1996 GOVERNMENT GAZETTE. WA 7229

Second Schedule

Industrial and Commercial Zones

A sufficient fence shall consist of rail-less link or chain mesh of a height of 1800mm on top of which are three strands of barbed wire carrying the fence to a height of 2100mm supported by galvanised iron posts of a diameter of 50mm spaced at three (3) metre centres and sunk in the ground 600mm and encased in a concrete footing having a dimension of 160mm x 600mm.

Dated this 27th day of November 1996.

The Common Seal of the Shire of Coolgardie was hereunto affixed in the presence of-
W. M. INGHAM, President.

A. A. McCABE, AIChief Executive Officer.

Recommended-

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 31st day of December 1996.

J. PRITCHARD, Clerk of the Council.