

## Introduction

This information sheet provides guidance for members of the public and homeowners for the installation of fencing, including guidelines for the submission of the required building permit applications. For further information, or to submit an application for building permit, the Town Planning and Development Team can be contacted on 08 9158 9300 or at [ePlanning@porthedland.wa.gov.au](mailto:ePlanning@porthedland.wa.gov.au).

## Front Boundary Fences

Under State Planning Policy 3.1 – Residential Design Codes, a fence (including gate) within the front setback of a property (including front boundaries) can be constructed to no more than 1200mm if solid, and must be visually permeable between 1200mm and 1800mm.

However, within 1.5m of where the driveway intersects with the property boundary, the maximum height for a solid fence or gate is 750mm. This is important as it maintains sight lines for and of vehicles entering and exiting the property. If the gate is to be constructed entirely out of a visually permeable design such as pool or garrison fencing, then the full height of 1800mm is permitted.

Although the above requirements can be varied in some instances, they must be justifiable and may be subject to additional approvals. Further information can be obtained by emailing [ePlanning@porthedland.wa.gov.au](mailto:ePlanning@porthedland.wa.gov.au).

## Side and Rear Boundary Fences

A side and/or rear boundary fence outside of the front setback of a property can be constructed to 1800mm high, and is permitted to be solid for the entire height. With regards to the responsibilities of a property owner to notify affected neighbours, or of affected neighbours to contribute to costs, this is governed by the *Dividing Fences Act 1961*. As this Act does not grant any powers to the Local Government, it is the responsibility of the landowner to ensure they are complying with the Act as required. Additional information can be found at [https://www.commerce.wa.gov.au/sites/default/files/atoms/files/dividing\\_fences\\_act\\_6th\\_edition\\_july\\_2017\\_updated\\_29sep18.pdf](https://www.commerce.wa.gov.au/sites/default/files/atoms/files/dividing_fences_act_6th_edition_july_2017_updated_29sep18.pdf).

## Do I need a Building Permit?

In accordance with Section 10 of the *Building Act 2011*, a **Building Permit is required for the construction of all fences** within the Port Hedland townsite. As Port Hedland is located within Wind Region D, structural plans are required detailing the footings and connections for the proposed fence, and must be signed off by a practicing structural engineer to confirm they are of sufficient strength for the towns Wind Region.