

LG302*

**DIVIDING FENCES ACT 1961
LOCAL GOVERNMENT ACT 1995**

Shire of Esperance

FENCING AMENDMENT 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 Esperance resolved on 27 April 2011 to adopt the *Shire of Esperance Fencing Amendment Local Law 2011*.

In this local law, the *Shire of Esperance Local Laws Relating to Fencing 2002* published in the *Government Gazette* No. 78 on 30 April 2002 and as amended in the *Government Gazette* No. 177 on 2 October 2009 is referred to as the principal local law. The principal local law is amended as follows—

Item	Clauses Affected	Description
1	6(1)	Substitute subclause (1) with the following— “(1) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless all owners of land which adjoins the relevant boundary agree to erect a fence which though different does not fail to comply with the requirements of a sufficient fence.”
2	11(1)	Substitute subclause (1) with the following— “(1) A person shall only construct a fence on a Residential Lot, a Commercial Lot, an Industrial Lot, a Rural Lot or a Special Rural Lot in accordance with the Schedules.”

Dated 27 April 2011.

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

I. S. MICKEL, AM JP, Shire President.
M. J. OSBORNE, Chief Executive Officer.
