

TASMANIA

BOUNDARY FENCES REGULATIONS 2018
STATUTORY RULES 2018, No. 67

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BOUNDARY FENCES REGULATIONS 2018

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Boundary Fences Act 1908*.

Dated 19 November 2018.

C. WARNER
Governor

By Her Excellency's Command,

GUY BARNETT
Minister for Primary Industries and Water

1. Short title

These regulations may be cited as the *Boundary Fences Regulations 2018*.

2. Commencement

These regulations take effect on 17 December 2018.

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3. Notice to fence

- (1) A notice under section 9 of the *Boundary Fences Act 1908* to join in erecting a sufficient fence or rabbit-proof fence is to be in accordance with Form 1 of Schedule 1.
- (2) A notice under section 9 of the *Boundary Fences Act 1908* to join in making an existing fence rabbit-proof is to be in accordance with Form 2 of Schedule 1.

SCHEDULE 1 – FORMS

Form 1

Regulation 3(1)

Boundary Fences Act 1908

**NOTICE TO JOIN IN ERECTING A SUFFICIENT FENCE OR
RABBIT-PROOF FENCE**

Toof.....,
as the owner of land adjoining my land situated at
.....

Under the *Boundary Fences Act 1908*, I give you notice that I require you to join in erecting a sufficient fence or rabbit-proof fence between our respective lands.

I propose:

- (a) that the following boundary between our lands be fenced:
.....
- (b) that the following kind of fencing be erected:
.....

Please note the following provisions of the *Boundary Fences Act 1908*:

- (a) section 10, which enables you, within 21 days after service of this notice, to object to any proposal contained in this notice and which provides for arbitration in case we do not come to an agreement;

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- (b) section 12, which enables me to erect the fence and recover from you one-half of the actual cost, together with interest, if within 30 days after service of this notice we do not enter into an agreement and you have not served a notice of objection on me.

Dated at on

.....
(Signature of person giving notice)

.....
(Print name of person giving notice)

Signed in the presence of –

.....
(Signature of witness)

.....
(Print name of witness)

.....
(Address of witness)

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Form 2

Regulation 3(2)

Boundary Fences Act 1908

**NOTICE TO JOIN IN MAKING AN EXISTING FENCE
RABBIT-PROOF**

Toof.....
as the owner of land adjoining my land situated at
.....

Under the *Boundary Fences Act 1908*, I give you notice that I require you to join in making the existing fence between our respective lands rabbit-proof.

I propose:

- (a) that the following fence be made rabbit-proof:
.....
- (b) that the following mode be adopted for the purpose of converting the existing fence into a rabbit-proof fence:
.....

Please note the following provisions of the *Boundary Fences Act 1908*:

- (a) section 10, which enables you, within 21 days after service of this notice, to object to any proposal contained in this notice and which provides for arbitration in case we do not come to an agreement;

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- (b) section 12, which enables me to convert the existing fence into a rabbit-proof fence and recover from you one-half of the actual cost, together with interest, if within 30 days after service of this notice we do not enter into an agreement and you have not served a notice of objection on me.

Dated at on

.....
(Signature of person giving notice)

.....
(Print name of person giving notice)

Signed in the presence of –

.....
(Signature of witness)

.....
(Print name of witness)

.....
(Address of witness)

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 28 November 2018.

These regulations are administered in the Department of Primary Industries, Parks, Water and Environment.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations –

- (a) prescribe forms for the purposes of section 9 of the *Boundary Fences Act 1908*; and
- (b) are made consequentially on the repeal of the *Boundary Fences Regulations 2008* under section 11 of the *Subordinate Legislation Act 1992*.