

Boundary Fence Contribution – Public Reserves

Approved By: **Council**
Doc Controller: **Executive Manager**
Corporate Governance
File: 4/14/2

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Version: **5.0**
Approved Date: **10 Dec 2019**
Next Review Date: **10 Dec 2023**

1 PURPOSE

To outline the principles to be applied in assessing Council's financial contribution towards the erection/replacement of boundary fencing to private land adjoining a Public Reserve.

2 OBJECTIVE

Provide guidance to Council staff on the principles to be applied in any negotiations with persons in relation to the fencing of property adjoining a Public Reserve.

3 SCOPE

This policy applies only to the erection/replacement of boundary fences adjoining a Public Reserve and does not apply to:

- a) The repair/maintenance of boundary fences (which is the responsibility of the landowner).
- b) The erection/replacement of boundary fences abutting undeveloped Crown land that is leased by Council.
- c) Retaining walls and other structures intended by the landowner to support land or to extend the usefulness and enjoyment of private land.
- d) Boundary fences abutting roads or vehicular lanes, including adjacent nature strips.

4 POLICY

4.1 Application

An application for a contribution to fencing erection/replacement is to be made to the Council by the landowner on the Application Form.

Approval of the works and extent of Council contribution is to be determined prior to the works commencing.

The landowner is responsible for obtaining any approvals pertaining to the erection/replacement of the fence.

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4.2 Contribution to Fencing of Land Adjoining a Public Reserve

For approved applications, a financial contribution will be made towards the cost of erection/replacement of boundary fencing to private land adjoining a Public Reserve.

The contribution will be calculated at the rate of 50% of the actual invoiced cost of materials only to complete the fence up to a maximum of \$1,500 including GST for each allotment, providing fencing is carried out in accordance with Council's standard specification.

The fence construction is to be completed and the claim for a refund lodged with Council within six (6) months of the date a contribution to the fence was approved.

4.2.1 *Standard of Boundary Fence*

The standard of boundary fence shall be:

- a) Where there exists a reasonable expectation that use and activity within the reserve will, by reason of its intensity and/or frequency, present an inconvenience in terms of the security or privacy of the private land, then the standard shall be a timber paling fence or similar of height between 1500mm to 1800mm, erected in a tradesman like manner using sturdy long life materials of acceptable visual presentation, generally in accordance with Council's specification.
- b) Where the adjoining Public Reserve is remote, generally inaccessible, or infrequently used, then the standard shall be a post and five (5) strand appropriate wire construction, erected in a tradesman like manner using new materials.

4.2.2 *Landowner's Option to Exceed Standard*

A landowner may erect a boundary fence of a standard greater than that detailed in this policy, however Council's contribution will not exceed that otherwise payable for a fence erected in accordance with the adopted policy.

An alternate fence standard must comply with relevant legislation.

4.3 Approval/Refusal

The General Manager or delegate is authorised to administer the policy, and to have discretion to grant (subject to adequate funds remaining in the budget allocation) or refuse a contribution.



COUNCIL POLICY

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5 LEGISLATION

Boundary Fences Act 1908

Building Act 2000

Public Reserves & Public Buildings Bylaw No. 1 of 2011

6 RELATED DOCUMENTS

Boundary Fence Contribution - Public Reserves FO-WS-A-604
(Application Form, Procedure and Specification)

7 OTHER REFERENCES

Policy Endorsement	
Responsibility:	It is the responsibility of the Director Works and Services to facilitate the implementation of this policy and review its content from time to time. It is the responsibility of the Governance Unit to maintain this policy in the Corporate Document Framework.
Minute Reference:	AO340-19
Council Meeting Date:	10 December 2019
Strategic Plan Reference:	Strategy 7.1.1 Formulate policy that is equitable, inclusive and responsive to current needs, and ensure decision-making is informed and accountable.
Previous Policies Replaced:	This policy replaces the previous policy <i>Boundary Fence Contribution – Public Reserves</i> CP-CBS-SG-014 version 4.0 dated 21 March 2017 (AO062-17).
Date of Commencement:	11 December 2019
Publication of Policy:	Members of the public may inspect this policy at the City Offices where copies can be obtained free of charge. Alternatively it can be accessed on Council's website (www.burnie.net).