

| | |
|-------------------------------------|---|
| Policy number | Policy 224 |
| Policy title | Fences between Town property and adjoining property |
| Strategic outcomes supported | EN5 – Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed. EN6 – Appropriate, inviting and sustainable green spaces for everyone that are well maintained and managed. |

POLICY OBJECTIVE:

To provide for the processes in dealing with fencing between Town property and adjoining properties.

POLICY SCOPE:

This policy applies to fencing between Town and adjoining property.

DEFINITIONS:

Nil.

POLICY STATEMENT:

1. The Town may contribute to the cost of a dividing fence between property owned by or vested in the Town and adjoining property.
2. For the purpose of this policy land owned by or vested in the Town does not include road reserves, linear drain reserves, rights-of-way or pedestrian access ways.
3. As a rule, the Town contribution will be limited to 50% of the cost of erecting an original fence, or replacing a deteriorated existing fence, in colour bond or similar metal fence or timber lap fence.
4. A request from an owner for the Town to share in the cost of erecting an original dividing fence or replacing a deteriorated existing dividing fence must be made in writing by the owner setting out:
 - a. The reason for the request;
 - b. The total length of proposed new fence that adjoins Town property;
 - c. The material(s) to be used in the making of the fence together with - if other than a standard material dividing fence - brochures or a sketch detailing the height, design, materials proposed and a quotation (or estimated cost) of the portion adjoining Town property.

(Note: Dividing fences or walls acting as dividing fences made from materials other than standard fence materials such as 'HardiFence', 'colorbond', timber picket require the Town's Planning Approval. Contact the Planning and Development Services staff at the Council Office).

5. Where the Town and the owner are agreed on the terms of the agreement, it shall be documented and signed by both parties. The agreement is to include the type of fence, the cost sharing arrangements and which party will arrange the erection.
6. Where it has been agreed that the Town will arrange the fence erection, the Town will obtain not less than 3 quotes and require the adjoining owner's contribution to be paid to the Town prior to accepting the most suitable quotation.
7. Where it has been agreed that the owner will arrange the fence erection, the Town's contribution is subject to the Town having agreed to a quotation obtained by the owner - or the owner's selection if more than one quotation - and the fence having been constructed to a satisfactory standard.
8. In cases of financial hardship or where the adjoining owner is an aged or invalid pensioner, the Town may agree to erect or replace a fence and have the owner's share of the costs paid by instalments or have it remain a charge against the property

RELATED DOCUMENTS:

[Local Law Relating to Fencing 2000](#)

[Dividing Fences Act 1954](#)

| | |
|-----------------------------|-------------------------------------|
| Policy manager | Manager – Infrastructure Operations |
| Responsible officers | - |
| Approval authority | Council |
| Next Evaluation Date | |

REVISION HISTORY

| Version | Approved, Amended, Rescinded or Reviewed | Date | Authority | Resolution Number | Key Changes/Notes |
|---------|--|------------|-----------|-------------------|-------------------|
| 1 | Approved | 01/07/1994 | Council | - | - |
| 1 | Reviewed | 15/08/2006 | Council | - | Item 4.1 |
| 1 | Reviewed | 09/07/2013 | Council | - | Item 10.1 |
| 1 | Reviewed | 11/08/2015 | Council | - | Item 10.1 |
| 2 | Reviewed and Amended | 20/08/2019 | Council | 148/2019 | Item 10.1 |