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Central Coast Council

Boundary Fence Contribution Policy

April 2022

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PURPOSE

This Policy outlines the Council's position to requests in relation to the *Boundary Fences Act 1908* to assist with the erection, repair or replacement of boundary fences between Council owned property and private land.

SCOPE

The Council will contribute financially to the cost of erection, repair or replacement of shared boundary fences between Council property and private property in accordance with the following table:

| Where a private property abuts: | Council contribution will be considered if requested: | Compliance |
|---|---|--|
| A road reserve | No | <i>Boundary Fences Act 1908</i> |
| A public reserve, e.g. Crown leased foreshore, Tobruk Park, Leven River foreshore reserve | No | s.6 & s.7 <i>Boundary Fences Act 1908</i> and proclaimed under the <i>Crown Lands Act 1976</i> . Refer to Public Land Classification spatial layer of LISTmap. |
| A walkway between properties leading to a public reserve or road | No | s.7 <i>Boundary Fences Act 1908</i> |
| A public car park | Yes | |
| A developed Council property, e.g. Recreation Centres | Yes | |
| Sports fields | Subject to demonstrated need | |

Note: The Council may choose to contribute to fencing outside what is defined above if it is of the view it is in the best interest of the Council to do so. Examples when this might occur include security, public safety, amenity and operational efficiency.

STANDARDS (INCLUDING RELEVANT LEGISLATION)

This Policy was developed in accordance with the provisions of the:

- . *Boundary Fences Act 1908*
- . *Rail Infrastructure Act 2007*
- . *Crown Lands Act 1976*

POLICY STATEMENT

Any fencing contribution will be subject to the following conditions:

- 1 The maximum contribution will be 50% of the cost of materials plus 50% of the plant and labour component of a 'standard' fence.
- 2 Where a landowner proposes a fence which, in the Council's opinion, exceeds a 'standard' fence, the contribution payable by the Council will be limited to no more than that which would have been payable by the Council for a 'standard' fence.
- 3 Boundary fences shall not have vehicular access gates to Council property unless by written permission of the General Manager.
- 4 The contribution will only be payable where the Council's written agreement has been obtained prior to any construction or repair work being undertaken.
- 5 The following conditions form part of this Policy:

(i) Applications

Applications for a Council contribution must be made in writing and fully detail the type of fence proposed in line with this Policy. The application is to be accompanied by quotations for the materials, plant and labour costs involved. Where a landowner is proposing to supply the plant and labour, the estimated value of the plant labour is to be included.

(ii) 'Standard' Fence

Where a Council property adjoins:

- (a) residential property, a 'standard' fence will be of solid face construction, consistent with other fences in the immediate area;
- (b) commercial or industrial property, a 'standard' fence will be of wire mesh, chain link or solid face construction;
- (c) rural or undeveloped land, a 'standard' fence will be of five-wire and timber post construction.

All fences are to be made of sturdy durable materials and are to be erected in a tradesman like manner.

- (iii) There will be no contribution by the Council in respect of retaining walls or any structure intended by the landowner to extend the usefulness or enjoyment of private land.
- (iv) The Council's contribution to any fence will be payable on completion of construction. Before payment will be authorised the fence will be inspected by a Council officer to ensure it has been constructed to the Council's satisfaction.

REVIEW

This Policy will be reviewed every three years by the Council, unless organisational and legislative changes require more frequent modification/s.

SANDRA AYTON
GENERAL MANAGER

Date of approval: / /
Approved by:
