



NORTHERN MIDLANDS COUNCIL

POLICY MANUAL

FENCING RESERVES: CONTRIBUTION

Originated Date: Adopted 23 August 1999 – Minute No 354/99 (as Policy 5)

Amended Date/s: Revised 20 January 2003 – Min. No.019/03
Revised 18 September 2006 – Min. No. 332/06
Revised 21 September 2009 – Min. No. 255/09
Revised 21 September 2015 – Min. No.270/15
Revised 15 March 2021 – Min. No. 113/21
Revised 21 August 2023 – Min. No. 23/0289

Applicable Legislation: *Boundary Fences Act 1908.*

Objective To clearly define Council's position in relation to boundary fence contributions.

Administration: Corporate Services

Review Cycle/Date: Next review 2027

CONTRIBUTION TO FENCING OF RESERVES

That Council have decided to voluntarily make an ex-gratia financial contribution to the repair of boundary fences that abut Council owned or managed reserves. Council acknowledges the *Boundary Fences Act 1908 (the Act)* does not apply to public reserves, however Council has decided to voluntarily contribute towards boundary fences of its reserves as provided for within this Policy.

SCOPE

1. This policy applies only in circumstances where Council owns, or has accepted responsibility for the management of, the 'reserve'.
2. This policy only applies to the repair of an existing boundary fence. It does not apply to initial fencing of land following subdivision, in this circumstance the cost of fencing shall be the total responsibility of the adjoining property owner.
2. This policy does not apply to boundary fences adjoining a road, as defined by Act, or reserves or land predominantly used by motor vehicles.
3. Council will not make any contribution where the existing fence is in sound condition, but the adjoining owner wishes to upgrade it or alter its style.
4. This policy does not apply where the negligent actions of the owner/occupier of the adjoining land has caused unnecessary damage to the existing fence.
5. This policy is not retrospective, and Council will not retrospectively pay for boundary fencing works.

POLICY

The following conditions apply to this policy:

1. The owner of the adjoining land is to obtain three (3) quotes from recognised fencing contractors and provide copies to Council for consideration. The Council will then elect its preferred contractor to be engaged by the adjoining property owner.
2. The rate of contribution by Council towards repairs of boundary fences of reserves shall be:
 - ◆ For a paling fence - 50% of the accepted quotation, with a maximum contribution of \$60.00per metre; or



NORTHERN MIDLANDS COUNCIL

POLICY MANUAL

- ◆ For a post and wire fence – 50% of the accepted quotation, with a maximum contribution of \$12.50 per metre.
3. The replacement fence shall be the standard of fencing predominant in the area. For a paling fence, this is a 1.8m high fence constructed using “C” section posts, 3x 75mm x 50mm rails, overlapped 150mm palings and using galvanised nails. Any higher standard or material shall be the sole responsibility of the person making the request.
 4. That Council makes a budget allocation each financial year for fencing of Council reserves contributions.

PAYMENT

5. The ex–gratia contribution shall be made after the work is completed to a standard and in a workmanship like manner satisfactory to the Manager, Works Department.
6. The total limit of payments in one financial year shall be as allowed in the budget allowance for that year.
7. The ex–gratia payment will be on a “first in–first served” basis and must be by written agreement between Council and the property owner prior to any work starting.
8. Any special case which does not comply with this policy may be raised with the Council for decision on a case-by-case basis.
9. Residents shall be advised of this policy on a regular basis.