

## POLICY MANUAL

**Policy Number: 14**

**Fencing – Council owned land**

**Purpose:**

To outline the circumstances in which Council will share the cost of boundary fences with other property owners.

**Department:**

Infrastructure Services

**Author:**

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**Council Meeting Date:**

12 November 2019

**Minute Number:**

204/2019

**Next Review Date:**

**November 2023**

### POLICY

#### **1. Definitions**

Nil.

#### **2. Objective**

To ensure the sharing of costs of boundary fencing between Council owned land and adjoining private land is in accordance with legislation.

#### **3. Scope**

This policy applies to the Council, its employees and any land owner adjacent to Council owned land.

#### **4. Policy**

Council will share the cost of fencing boundaries between private and Council owned land in accordance with the Boundary Fences Act 1908. The Act exempts Council from making a contribution where Council owned land is a roadway (which includes a public highway, street, right-of-way, whether the right-of-way is a vehicle access, horse-way or foot-way), un-occupied land, a reserve or public place.

Situations where Council is not exempt and is required to share in the cost of a sufficient boundary fence include where a property adjoins a Council owned:

- House or building, where these are the dominant use on the title;
- Commercial or security area e.g. Council depot.

Property owners intending to replace or erect new boundary fences shall notify Council's Development Services Department to determine if a permit is required for the works.

For the purposes of this Policy a sufficient boundary fence to Council owned land is a 1.8metre high treated pine lapped paling fence with steel posts set in concrete.

#### **5. Legislation**

The policy conforms to the Tasmanian Boundary Fences Act 1908.

## **6. Responsibility**

Responsibility for the operation of this policy rests with the Director Infrastructure Services.