

Policy No. 14: Fencing - Council Owned Land

POLICY MANUAL

Policy No. 14**Fencing Council Owned Land****Purpose**

The purpose of this Policy is to outline the circumstances in which the Council will share the cost of boundary fences with other property owners.

Department

Infrastructure Services

Author

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Council Meeting Date

13 February 2024

Minute Reference

020/2024

Next Review Date

February 2028

POLICY

1. Definitions

Nil.

2. Objective

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

3. Scope

This Policy applies to the Council and any land owner adjacent to land owned by the Council.

4. Policy

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

Situations where the Council is not exempt and is required to share in the cost of a boundary fence include, where a property adjoins land owned by the Council that is not public land, including:

- a house or building where these are the dominant uses on the title; and
- commercial or security area (eg. Council depot).

Where the Council's management of land requires a particular quality of fence (including off lead dog exercise areas), the Council is to negotiate with the owners of adjoining properties and pay for the difference in the quality of fence required or otherwise in accordance with the Act.

5. Legislation and Related Standards

Boundary Fences Act 1908

6. Responsibility

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