



Contribution to Dividing Fences Policy - Council Policy

Effective Date	17 August 2016 - Ordinary Meeting of Council
Policy Owner	Facilities Manager
Link to Corporate Plan	Strategic Theme 2: Enriched Communities
Review Date	July 2020
Related Legislation	<i>Neighbourhood Disputes Resolution Act 2011</i>
Related Documents	Western Downs Regional Council Local Laws

Policy Version	Approval Date	Adopted/Approved
1	06/02/2013	Ordinary Meeting of Council
2	17/08/2016	Ordinary Meeting of Council

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1. PURPOSE

This policy will provide clear guidelines for owners of privately owned land who seek a contribution from Council to construct, repair or replace a dividing fence on a common boundary.

The policy will apply to owners of privately owned land when a contribution to construct, repair or replace a dividing fence between Council owned freehold land and their property is requested.

2. POLICY

- 2.1 Council will comply with its obligations under the *Neighbourhood Disputes Resolution Act 2011*.
- 2.2 Council will only contribute to the construction, repair or replacement of a dividing fence if the fence is a common boundary between privately owned and Council owned freehold land.
- 2.3 Council must receive from the owner of the adjoining land, proper "Notice to Contribute" notification, along with at least two written quotations prior to the commencement of work.
- 2.4 Council reserves the right to negotiate, on a case-by-case basis, with the owner of the adjacent land wanting to construct, repair or replace a dividing fence to reach an amicable outcome for both parties.
- 2.5 If satisfied, Council will contribute -
 - 2.5.1 Half of the cost of the repair or replacement of an existing dividing fence on a common boundary. Council will only contribute 50% for a fence which is similar in structure and appearance to the one being repaired or replaced. For example, if a private land holder wishes to upgrade a 1200mm high chain wire fence with an 1800mm high colourbond steel fence, Council will only reimburse half the cost of the cheaper option. Any additional costs associated with the project shall be borne by the private land holder; or,
 - 2.5.2 The lesser amount of either half the cost of a newly constructed fence or an amount of \$77 (Inc. GST) per lineal metre of fencing should there not be an existing dividing fence in place
- 2.6 Council may not contribute to the cost to construct, repair or replace a dividing fence if -
 - 2.6.1 The common boundary is with a road, reserve over which Council is trustee, stock route or easement providing right of access to Council;
 - 2.6.2 The common boundary is with a public park, plantation or agricultural land;
 - 2.6.3 If fencing work is carried out prior to proper notification being received by Council

