



# Council Contribution to Fencing Costs Policy

<b>Version No.</b>	3.6 – 28 February 2022
<b>Endorsement</b>	Executive 26 April 2022 Policy Review Committee 12 May 2022
<b>Authorisation</b>	Council 30 May 2022
<b>Expiry date</b>	30 June 2024
<b>Responsible officer</b>	Operations Manager
<b>Policy owner</b>	Civil Operations Coordinator

## 1. Purpose

This policy sets out the conditions in which Council will contribute to fencing costs.

## 2. Scope

This policy applies to all fencing adjacent to Council owned or managed land and where landowners are seeking Council contribution towards the cost of replacing an existing fence.

It does not apply to repair or maintenance of an existing fence. Neither does it apply to the construction of a new fence at the time the land was subdivided nor an industrial allotment.

## 3. Definitions

Word/Term	Definition
Council	Melton City Council
Standard timber fence	A wooden fence that is up to 1.95m in height with wooden posts spaced no greater than 2.7m apart and wooden palings, rails and plinths typically made of treated pine. See Appendix A.
Standard farm fence	A post and wire farm fence in accordance with Department of Transport (VicRoads) Standard Drawing 3112 Fence Type B Sheep Fence Post and Wire. See Appendix A.
Road reserve	Land titled for the purpose of a road, footpaths and associated infrastructure used for public travel.
Road corridor	Road corridor means the road reserve plus land purposed for duplication of a road, that is, a second carriageway, along with associated infrastructure.
Property frontage	The property frontage is any part of the property boundary that borders a road reserve or road corridor. Properties may have frontage to a road reserve or road corridor on more than one side of the property.

Urban area	A built-up area designated for standard, medium or high density residential, industrial, and commercial uses under the planning scheme.
Rural area	Rural areas are areas other than urban areas, which includes but is not limited to farming land and low-density residential areas.
Tree Reserve	Land set aside for the purpose of trees and planting of trees.
Open Space Reserve	An open space reserve is an area of protected or conserved land for recreational, ecological, and environmental benefits.
Industrial allotment	Property used for commercial establishments, manufacturing plants, distribution of goods and services and other business activities.

#### 4. Policy

Council's contribution towards fencing costs is based on the *Fences Act 1968* and the *Fences Amendment Act 2014* to determine eligibility and is subject to the following conditions.

Upon suitable request and where the request meets the eligibility criteria, Council will contribute up to half the cost for the replacement of an existing fence, including costs associated with demolition and removal, with the construction standard specified in Section 4.3 of this Policy.

The Policy does not apply to a new fence at the time the land was subdivided, nor does it apply to commercial or industrial allotments.

##### 4.1. Fencing Contribution Request

Requests for contribution to fencing costs must be made in writing to Melton City Council and include contact details of the applicant and details of the location of the fence, which must be limited to one property parcel.

Council may not contribute to fencing contribution requests where these conditions are not met.

##### 4.2. Eligibility

Upon request, Council will contribute towards fencing costs for fences on the boundary of Council owned land, excluding:

- Road Reserves,
- Road Corridors,
- Tree Reserves that provide a pedestrian and/or bicycle link between two roads,
- Tree Reserves directly adjacent to a road reserve or road corridor,
- Property frontages,
- Fences built by a person who is not a fencing contractor of a registered fencing business,
- Industrial allotments.

Council's Road Assets Officers, at their discretion, will determine the eligibility of the application for the replacement of a fence.

Where the applicant does not agree with the decision of the Road Assets Officer, the matter can be escalated to the Civil Operations Coordinator and thereafter Operations Manager for review.

The decision of the Operations Manager is final.

### 4.3. Construction Standard

For rural areas, the construction standard is limited to a Standard Farm Fence, excluding gates or other embellishments.

For urban areas, the construction standard is limited to a Standard Timber Fence, excluding gates or other embellishments to the fence, and excluding Section 4.3.1.

#### 4.3.1. Construction Standard

Where there is a covenant attached to the property title in relation to the type and style of fencing, Council will contribute up to half the cost to the particular type and style of fencing mentioned within the covenant, subject to the eligibility criteria being met.

### 4.4. Gates and other Embellishment of a fence

Where a gate or embellishment of a fence is requested by the landowner abutting a park, open space reserve, tree reserve or other reserve, they must first seek and obtain the permission of Council's Operations Services team before it is installed, noting the cost of gates and other embellishments of a fence will be wholly borne by the landowner.

### 4.5. Limit of Contribution

Council will contribute to fencing costs up to a maximum limit of \$5,000 (excluding GST) per request.

### 4.6. Hardship

In cases where the adjoining property owner is subject to financial hardship and is unable to contribute to their portion of the cost of fencing, it is recommended that referral be made to Council's Financial Hardship Policy.

## 5. Responsibility

5.1	<b>Road Assets Officer</b> <ul style="list-style-type: none"><li>Responsible for implementing the policy; receiving and assessing requests for contribution to fencing costs, inspecting the construction activity, and administering contribution payments.</li></ul>
5.2	<b>Civil Operations Coordinator</b> <ul style="list-style-type: none"><li>Responsible for maintaining and updating the policy.</li></ul>
5.3	<b>Manager Operations</b> <ul style="list-style-type: none"><li>Responsible for approving the policy.</li></ul>
5.4	<b>General Manager Planning &amp; Development</b> <ul style="list-style-type: none"><li>Responsible for endorsing the policy.</li></ul>

## 6. References and links to legislation and other documents

Name	Location
<i>Fences Act 1968</i>	<a href="http://www.austlii.edu.au/au/legis/vic/consol_act/fa196867/">http://www.austlii.edu.au/au/legis/vic/consol_act/fa196867/</a>
<i>Fences Amendment Act 2014</i>	<a href="http://www.austlii.edu.au/au/legis/vic/num_act/faa201430o2014193/">http://www.austlii.edu.au/au/legis/vic/num_act/faa201430o2014193/</a>
<i>Road Management Act 2004</i>	<a href="http://classic.austlii.edu.au/au/legis/vic/consol_act/rma2004138/">http://classic.austlii.edu.au/au/legis/vic/consol_act/rma2004138/</a>
Financial Assistance (Rates and Charges) Policy	Melton City Council website and intranet.
VicRoads Standard Drawing 3112 Fence Type B Sheep Fence Post and Wire	VicRoads website page: Standard drawings for roadworks. <a href="https://www.vicroads.vic.gov.au/business-and-industry/technical-publications/technical-drawings-for-roadworks/standard-drawings-for-roadworks">https://www.vicroads.vic.gov.au/business-and-industry/technical-publications/technical-drawings-for-roadworks/standard-drawings-for-roadworks</a>

Appendix A:

Standard Timber Fence



Standard Farm Fence

