

 City of Mount Gambier	<b>F110 FENCING COSTS - CONTRIBUTIONS BY COUNCIL</b>	Version No:	4.0
		Issued:	19 September 2023
		Next Review:	September 2027

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for contributions by Council for the construction of fences adjoining Council land.

For the purposes of this Policy, all land shown on Lands Title Office Plans as "Right-of-way" or "Footway", shall be deemed to be thoroughfares and therefore public roads.

## 2. MAKING A CONTRIBUTION

(a) Where Council is required, pursuant to the provisions of the *Fences Act 1975* to contribute to the cost of fencing, Council issue a cross notice in any of the following circumstances:

- (i) The proposed fence exceeds 1.8m in height;
- (ii) It is considered that the type of fence proposed will detract from the character of the area;
- (iii) The cost to Council of the proposed fence will be greater than one half of the minimum cost of erecting an adequate fence within the meaning of sub-sections 12 (7) and (8) of the *Fences Act 1975*;
- (iv) A gate or other opening greater than 1.4m wide is to be left in the proposed fence;
- (v) The proposed construction of the fence is considered inadequate or of poor design/workmanship.

## 3. FENCING ALONG BOUNDARIES ADJOINING COUNCIL LAND

(a) Where a property owner proposes to erect a boundary fence adjoining Council property (other than a street or road) and Council is not required or requested to make a contribution to the cost of the fence and no conditions relating to the proposed fence have been imposed pursuant to the provisions of the *Development Act 1993* Council encourages the property owner to observe the following standards in respect of that fence;

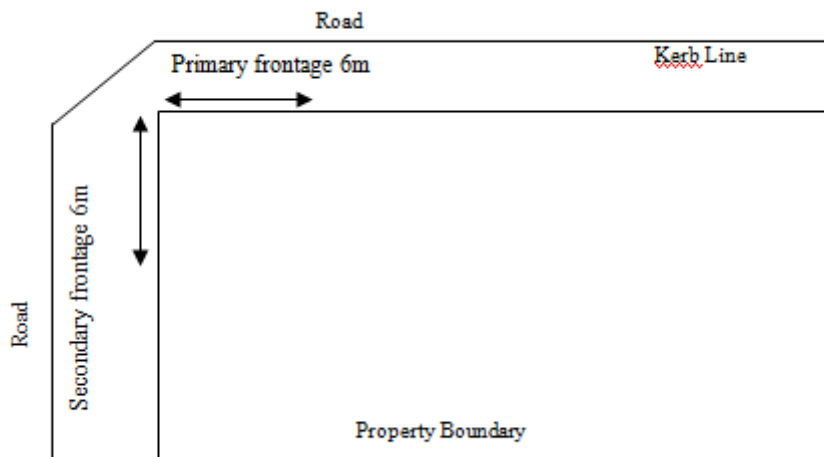
- (i) The proposed fence should not exceed 1.8m in height;
- (ii) The type of fence should not detract from the character of the area;
- (iii) No gate or other opening greater than 1.4m is to be left in the proposed fence. This is to ensure that no vehicular access can be obtained to the property over Council land;
- (iv) Where a property owner proposes to erect a fence abutting a street or road Council By-Laws must be complied with.

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#### 4. CORNER ALLOTMENTS

- (a) Corner allotments (i.e. allotments that have more than one street frontage) must not erect a fence that exceeds (or will exceed) 1.0 metre in height within 6 metres of the intersection of two boundaries of land (where those boundaries both face a road) other than where a 4 metre x 4 metre corner cut-off has already been provided (and is to be preserved). Refer to Figure 1.

**Figure 1**



#### 5. REVIEW & EVALUATION

This Policy is scheduled for review by Council in September 2027; however, will be reviewed as required by any legislative changes which may occur.

#### 6. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website [www.mountgambier.sa.gov.au](http://www.mountgambier.sa.gov.au). Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

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File Reference:	AF18/47
Applicable Legislation:	Fences Act 1975;  Planning, Development and Infrastructure Act 2016;  Planning, Development and Infrastructure (General) Regulations 2017
Reference: Community Plan	Goal 2: Our Location
Related Policies:	
Related Procedures:	
Related Documents:	Council By-Law

## DOCUMENT DETAILS

Responsibility:	General Manager City Infrastructure
Version:	4.0
Last revised date:	19 September 2023
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Minute reference:	Council Meeting 19 September 2023, Item No. 19.10 - Resolution 2023/206
Next review date:	September, 2027
<u>Document History</u>	
First Adopted By Council:	18 <sup>th</sup> February 1999
Reviewed/Amended:	15 <sup>th</sup> April 2003; 19 <sup>th</sup> September 2006; 17 <sup>th</sup> February 2009, 19 <sup>th</sup> August 2014, 19 September, 2023