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Associated documents:	
Sponsor/Group:	General Manager Community and Infrastructure Operations
Policy Owner:	Robyn Denton

Fencing Management Policy

Purpose

1. The purpose of this policy is to provide guidance for how Council will apply their obligations under the Fencing Act 1978 in regard to contributions towards fences that share a boundary.

Principles of Policy

2. Council has a legal obligation under the Fencing Act to pay for up to half of the cost for a new or replacement fence.
3. The organisation acknowledges that fencing can contribute to the overall safety of an area. For this reason, the policy allows for the circumstances for a contribution greater than 50% to be made.

Scope

4. This Policy applies to:
 - a. Fences that are located on the boundary of a walkway/access way between streets, water or drainage reserve, recreation reserve, park as well as Council-owned esplanade reserves.
5. This Policy does not apply to:
 - a. Under the Fencing Act, Councils and the NZ Transport Agency are exempt from sharing any fencing costs with properties adjoining a road or road reserve.

Guidelines

6. The guiding principles for this Policy are:
 - a. The financial contribution by Council will be up to 50% of the **cost** of a new or replacement (where it is deemed the existing fence is not considered **adequate**) standard 1.8m high, 3 rail, solid timber paling fence, or the actual cost of an agreed alternative, whichever is less.
 - b. Council will make its contribution based on the market value of the fence at the time of construction.
 - c. Council's contribution will be payable upon completion of the fence and the presentation of receipts.
 - d. Where the affected fence is located on the boundary of a walkway/access way between streets, and the walkway/access way is classified as a road or road reserve, Council may apply discretion in contributing to the repair or replacement of the fence. Council may apply its discretion where there is inadequate security for the adjoining property and / or social problems.
 - e. The General Manager Community and General Manager Infrastructure Operations have delegated authority to make a financial contribution greater than 50% to the fencing of walkways/accessways for parks and between streets where social problems occur, and / or where the existing fence provides inadequate security for the adjoining property.
 - f. Council's contribution will be dependent on available budget.

7. The application of this policy by the Community Group is documented in this process - <https://go.promapp.com/hcc/Process/03ed321a-bbcc-4cc9-afd3-3b36783f0758>
8. The application of this policy by the Infrastructure Operations Group is documented in this process - <https://go.promapp.com/hcc/Process/aa21121a-61f2-4113-8f9b-28b57d71625b>
9. The policy will be reviewed at the request of the Senior Leadership team or in response to changed legislative and statutory requirements or in response to any issues that may arise.

Definitions

Definition	Detail
Adequate Fence	As defined in the Fencing Act - adequate fence means a fence that, as to its nature, condition, and state of repair, is reasonably satisfactory for the purpose that it serves or is intended to serve
Fence Cost	The cost Council will contribute towards is the cost of materials and labour (including enabling work and disposal of old fence) for the construction of the new or replacement fence

References

10. Fencing Act 1978
11. Section 357 Local Government Act 1974
12. Council's resolution in 1980 on reserves and parks fencing contributions
13. Council's resolutions of 27 February 2002 and 10 April 2002 on accessway fencing contributions