

INSTALLATION/REPAIR COUNCIL BOUNDARY FENCE

Fencing Act 1978

This application will assist you in building, or repairing, a fence which shares a boundary with one of Hamilton City Council's parks or reserves.

OVERVIEW

INTRODUCTION

Hamilton City Council aims to ensure Hamilton's parks and reserves are easily accessible to the public. However, if a fence is required between a reserve and a private property it should be constructed so it presents a consistent appearance when viewed from the reserve. Council approved standard fences are described in the next section of this form.

Please note we will not usually contribute to the cost of replacing an existing fence considered adequate as defined by the Fencing Act 1978. Adequate means a fence that is reasonably satisfactory for the purpose it serves. Section 2, Fencing Act 1978.

GIVING NOTICE

Please complete the attached form if you would like Council to contribute to the cost of a common boundary fence.

- If Council **disagrees** with your suggestion we will reply within 21 days of receiving your Notice.
- If you do not receive a reply from Council you can **proceed** with the work and Council will pay half of the fence cost.

WORK COMPLETION

If you serve the first Notice you must do the work or arrange for it to be done. Work must commence within 90 days from the Notice start date, otherwise the other party can do the work. The entire arrangement will lapse if the job is not completed within 90 days of the Notice starting date.

Council deals with the adjoining property owners and not their agents or representatives. Council will not contribute to the cost of any fence built before Notice has been given or which has been started inside 21 days from the notice being lodged unless the Council has given approval within that period.

ACCESS TO COUNCIL RESERVE

If you need access over the reserve to build the fence you must receive permission from the Parks and Recreation Unit. A monetary bond will be required to cover repair of any damage to the park that may result. You will be informed of the bond amount by Council staff.

FINANCIAL CONTRIBUTION

The fences described in the following section are examples of standard fence types.

The financial contribution by Council will be limited to a maximum of:

- 50 per cent of the cost of a standard 1.8 m high, three rail solid timber Standard Paling Fence, or
- 50 per cent of the actual cost of an agreed alternative, whichever is less.

This amount will be payable on completion of the fence. The market value of this standard fence will be reassessed yearly in January. The Council believes either of the above fences or walls will serve most needs but may approve other types if their appearance fits with the neighbouring park. The Council will never pay more than half the cost of the standard fence type except where it is in the public interest. Council will not approve hedges or any other form of living fence due to the high cost of maintenance.

PAYMENT

Council's contribution will be made upon the following conditions:

- That a confirmed cost of the work is included in the Notice of Intention to Fence.
- Estimates will not be accepted.
- That the fence is erected in accordance with the Fencing Application and to the satisfaction of the Parks and Recreation Unit.
- Copies of original receipts are forwarded for materials where you have erected the fence yourself or for materials and/or services where a contractor has been engaged to do the work.
- If company or owner is registered for GST please supply an original Tax Invoice for the agreed amount of reimbursement so Council can claim the GST back.

Please supply a copy of your bank deposit slip or an online bank statement which includes the number and name of owner so council can make a direct payment into your bank account.

PLEASE EMAIL APPLICATION TO HAMILTON CITY COUNCIL

parksadmin@hcc.govt.nz

**Hamilton City Council, Parks and Recreation Unit
Private Bag 3010 Hamilton 3204**



Hamilton City Council

Te kaunihera o Kirikiriroa

FENCING AND GATE CONSTRUCTION GUIDELINES

FENCE STYLE OPTIONS:

- **OPEN PANEL:** Panels shall be robust enough to cope with sitting on the boundary of a public park or reserve. Steel panels and posts shall be hot-dip galvanised and may be powder coated black or green. However, Council will not be responsible for damage caused to the powder coat finish by park users or age. All posts must be capped to exclude water and be securely concreted in position. All fastenings shall be galvanised. Open panel fences are less prone to graffiti than paling fences.
- **STANDARD PALING:** A paling fence at least 1 metre high with posts 100 x 75mm and placed not more than 2.75 metres apart. There should be two rails (three if the fence is higher than 1 metre), with sawn timber palings placed upright and well nailed to both rails. Palings may be close butted or with a gap of no more than 40mm between palings. All rails and palings should be tanalised and the posts ground treated.
- **SEVEN WIRE:** A seven-wire fence, properly strained, the wire to be 12.5 H.T. galvanised or similar. The posts are to be concrete or treated timber placed no more than 4m apart, and the battens or droppers should be of treated timber, metal or plastic, evenly spaced, and at least 3 between posts. The top wire is to be at least 1000 mm from ground level, and no barbed wire is to be used.
- **MESH FENCE:** Like the seven-wire fence but without battens and all wires except the top, middle and bottom ones replaced by galvanised chain link mesh fixed to the wires at every second mesh row.



APPROVED HEIGHT

Up to a maximum 1.8 metres and compliant with the relevant District Plan rules and standards. Any fence above 2 metres requires **PRIOR** building consent from the Council Building Unit on (07) 838 6677.

GATES

You are welcome to build one gate for foot traffic (no wider than 1 metre and opening away from the reserve) onto the park or reserve but must be approved by Council. Council does not contribute to the cost of gate construction or installation which can be removed by Council at anytime without prior notice.

MOWING STRIP

Council does not object to a mowing strip but will not contribute to the cost of its construction.

PAINTING & MAINTENANCE

Generally, Council does not require the park facing side to be painted however if you would like to paint this side you must receive a written agreement from the Parks and Opens Spaces Unit for the colour scheme. Council is not liable for any initial painting or repainting. We will not pay a share of the maintenance or removal costs of a boundary fence or hedge. If you remove a boundary fence without permission we will require that you replace it at your expense.

BOUNDARIES

If you do not want to fence the whole boundary you will have to describe what you want in your notice to the Parks and Opens Spaces Unit. However, unless there are very good reasons we are unlikely to pay any part of the cost of a fence which does not extend the full length of the boundary. Council will not pay for a fence which is not exactly on the boundary. If you are not sure where the boundary is, we will be happy to help you with locating it. However, if there are problems fixing the location of the boundary and a surveyor should be engaged, we will regard that as a part of the cost of the fence and you will have to meet an equal share of the fee. We would of course discuss the matter with you before engaging a surveyor.

CHANGES TO GROUND LEVELS OR SHAPE

Sometimes earthmoving work may go right up to a boundary and may result in a bank at the common boundary. The Council will not meet any of the costs of earthmoving, bank retention, or drains, and such work can only go ahead after written approval from the Parks and Opens Spaces Unit.

FOR MORE INFORMATION

- Visit the Hamilton City Council website at www.hamilton.co.nz
- Send an email to the Parks and Recreation team on parksadmin@hcc.govt.nz
- Review the Fencing Act 1978 at www.legislation.govt.nz

INSTALLATION FOR NEW PARK BOUNDARY FENCE

Fencing Act 1978

OWNER'S DETAILS

Property owner Name
(Include Surname)

Mailing address

Landlines

Mobile

Email

FENCE INFORMATION

Property address

If different from mailing address

Park or Reserve Name

Additional information

Attach additional information if applicable i.e. sketch map

Proposed fence length

Include full length of joint property

NEW FENCE

Design specifications

*Describe the type, height and design of fence. See Fencing and Gate Construction Guidelines for more information.
Attach additional information i.e. designs if required*

EXISTING FENCE

Design specifications

*Describe the nature & extent of repairs needed. See Fencing and Gate Construction Guidelines for more information.
Attach additional information i.e. designs if required*

CONSTRUCTION

Who will build the fence?

Please provide builder's name if not owner

Will there be a gate onto the park or reserve?

YES

NO

Who will build the gate?

Do you need help to locate the boundary?

YES

NO

Construction date

Will a mowing strip be created?

YES

NO

COSTINGS

Fencing materials

\$

Labour *(if applicable)*

\$

GST

\$

TOTAL COST

\$

DECLARATION

Within 21 days after the date of receipt of this notice you may object to any of the above details and then make your counter-proposals. If no objection is received I will proceed with the fencing in accordance with this notice and you may be deemed to have agreed to the proposals set out in this notice and will be liable to share the cost accordingly. This notice is given under the Fencing Act 1978.

DATE

SIGNED

ADDITIONAL INFORMATION REQUIRED BY COUNCIL

You will need to provide the following documents with your application:

- Bank deposit slip: This is so Council can make a direct payment into your account upon inspection of the completed fence. Unfortunately, hand-written account details won't be accepted. Please provide a bank issued slip or an online printout.

OFFICE USE:

Date received

Staff member

Reference

D-1014059 FENCE



Hamilton City Council

Te kaunihera o Kirikiriroa