



Dividing Fence Pensioner Rebate Policy and Procedure

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Scope

The City of Parramatta Council will provide financial assistance to Eligible Pensioners to repair or replace a dividing fence that abuts a Public Reserve or a Road, excluding front fences.

Purpose

Under the provisions of the Dividing Fences Act 1991 (Act), NSW Councils are exempt from contributing towards the cost of dividing fences where they abut a Public Reserve or a Road.

Despite the exemptions provided under the Act, City of Parramatta Council is committed to assisting Eligible Pensioners to repair or replace a fence where their fence abuts a Public Reserve or a Road.

This Policy provides a framework of guiding principles and eligibility criteria for Eligible Pensioners seeking a contribution from City of Parramatta Council, to the cost of repairing or replacing a dividing fence abutting a Public Reserve or a Road, excluding front fences.

Policy

Council will reimburse 50% of repair or replacement costs of a dividing fence, up to a maximum amount of \$1,100.00 (including GST).

The dividing fence needs to be in a condition where it warrants repair or replacement. A maximum of one (1) payment will be granted per property every 15 years.

Dividing Fences Pensioner Rebate		
Owner: Manager ASPM	Area: ASPM	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 0	Date of Next Review: 2021	Review: 2 years



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Eligibility

To be eligible for a contribution to the cost of a dividing fence under this Policy, the following criteria **must** be met:

1. The applicant must own the property;
2. The applicant must reside in the property;
3. The applicant must be an Eligible Pensioner as defined by the Local Government Act;
4. The property must be situated within the City of Parramatta Council Local Government Area;
5. The property must directly abut a Public Reserve or Road; and
6. The property must be a residential property, excluding Community Titled residential property, Strata Schemes or Strata Titled residential property;

Council has no liability for the ongoing repair and maintenance of any repaired or replaced fence.

Procedure

1. When to apply

An Eligible Pensioner will need to apply for a rebate **prior** to undertaking any works on the dividing fence.

2. How and where to apply

By **letter** to:

Asset Strategy and Property
Management Unit PO Box 32
PARRAMATTA NSW 2124

By **email** to:

council@cityofparramatta.nsw.gov.au and marked to the attention of:
Asset Strategy and Property Management Unit.

In **person** to:

Ground Floor
Reception 126
Church Street
PARRAMATTA NSW 2150

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3. Information required by Council

The applicant must provide Council with:

- a) At least two (2) written quotations for the cost of repair or replacement of the dividing fence;
- b) The quotations must be for a standard timber paling fence to a maximum height of 1.8 metres (180 centimetres); and
- c) The applicant must provide photographic evidence of the fence requiring repair or replacement.

4. Pre-inspection

Council may inspect the dividing fence before processing the application.

5. Approval

If approved, the applicant should:

- a) Undertake and pay for the repair or replacement;
- b) Provide Council with a copy of the fully paid invoice;
- c) Provide Council with a signoff from the contractor that the works have been undertaken; and
- d) Provide Council with photographic evidence of the repaired or replaced fence.

6. Post-inspection

Council may inspect the repaired or replaced fence prior to any rebate being issued.

7. Other information

The Asset Strategy and Property Management Unit of Council will maintain a database of applications received and rebates granted.

Funding will be provided by the Asset Strategy & Property Management Unit.

This Policy will be managed by the Asset Strategy and Property Management Unit of Council.

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Definitions

Council:

City of Parramatta Council.

Eligible Pensioners:

The Local Government Act 1993 defines eligible pensioners as:

- a) Persons who receive a pension, benefit or allowance under Chapter 2 of the Social Security Act 1991 of the Commonwealth, or a service pension under Part III of the Veterans' Entitlements Act 1986 of the Commonwealth, and who are entitled to a pensioner concession card issued by or on behalf of the commonwealth government: or
- b) Persons who receive a pension from the Commonwealth Department of Veterans' Affairs and are the holders of a pension concession card issued by Centrelink.

Public Reserve:

The Local Government Act 1993 defines public reserve as:

- (a) a public park, or
- (b) any land conveyed or transferred to the council under section 340A of the [Local Government Act 1919](#), or
- (c) any land dedicated or taken to be dedicated as a public reserve under section 340C or 340D of the [Local Government Act 1919](#), or
- (d) any land dedicated or taken to be dedicated under section 49 or 50, or
- (e) any land vested in the council, and declared to be a public reserve, under section 37AAA of the Crown Lands Consolidation Act 1913, or
- (f) any land vested in the council, and declared to be a public reserve, under section 76 of the [Crown Lands Act 1989](#), or
- (g) a Crown reserve that is dedicated or reserved:
 - (i) for public recreation or for a public cemetery, or
 - (ii) for a purpose that is declared to be a purpose that falls within the scope of this definition by means of an order published in the Gazette by the Minister administering the [Crown Lands Act 1989](#), being a Crown reserve in respect of which a council has been appointed as manager of a reserve trust for the reserve or for which no reserve trust has been established, or
- (h) land declared to be a public reserve and placed under the control of a council under section 52 of the State Roads Act 1986, or
- (i) land dedicated as a public reserve and placed under the control of a council under section 159 of the [Roads Act 1993](#), and includes a public reserve of which a council has the control under section 344 of the [Local Government Act 1919](#) or section 48, but does not include a common.

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Road:

The Local Government Act 1993 defines road as:

- (a) highway, street, lane, pathway, footpath, cycleway, thoroughfare, bridge, culvert, causeway, Road-ferry, ford, crossing, by-pass and trackway, whether temporary or permanent, and
- (b) any part of a Road and any part of any thing referred to in paragraph (a), and
- (c) anything forming part of a road or anything forming part of any thing referred to in paragraph (a).

Review

This Policy will be reviewed every two (2) years.

REFERENCES	
POLICIES	
ATTACHMENTS	

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