

Roadside Fencing Policy

Policy Sponsor:	General Manager, Service Delivery
Policy Owner:	Roading Manager
Policy Number:	WDC1603/06/1/8
Approved By:	Chief Executive
Date Approved:	14 March 2016
Next Review Date:	February 2019

Objective

To ensure that road maintenance activities, motorist, and pedestrian's safety are not compromised by inappropriate roadside stock restraints.

Application

This Policy applies to both permanent and temporary roadside fences within the Waikato District.

Relevant Documents/Legislation

- Fencing Act 1978
- Hamilton City Council Infrastructure Technical Specification (Section 7)
- Permit to Erect a Temporary Fence

Policy Review

This policy shall be reviewed as deemed necessary by the policy owner but not less than every three years.

Policy Statements

I. GENERAL

- I.1 All fences located within the road reserve will remain at Council's pleasure. Council gives no tenure to the land enclosed by the temporary or permanent fence and accepts no liability for any damage to the fence or third parties.
- I.2 If Council requires that a fence situated on road reserve be relocated, the cost of relocation shall be at the landowner's expense.
- I.3 A permit is required for the long-term relocation of permanent boundary fence and short-term temporary fencing on the road reserve.
- I.4 Roadside fences shall be stock-proof in terms of the Fencing Act 1978.
- I.5 Roadside fences shall be located in accordance with the "Roadside Fencing Rules" described in clause 2 below.

- 1.6 Any fencing must not obstruct any traffic or create a nuisance or safety hazard to motorists or general public.

2. ROADSIDE FENCING RULES

2.1 Roadside Fencing Permits

- a) A permit to occupy road reserve for a long term period may be granted by the General Manager Service Delivery subject to approval of the type and location of the realigned permanent fence.
- b) A permit to erect a temporary fence for short-term grazing may be approved by the General Manager Service Delivery subject to approval of the type and location of the temporary fence.
- c) Any fencing permit will be subject to review by Council from time to time.
- d) The permit holder must comply with the conditions listed on the permit at all times.
- e) There shall be no charge for a fencing permit, except where staff are required to visit the property on three or more occasions to inspect the fence.
- f) If Council declines a permit application to relocate a permanent fence in the road reserve, the landowner may request the decision to be reviewed by the Infrastructure Committee.

2.2 Permanent Roadside Fencing Requirements

- Permanent fencing shall be durable, stock-proof and constructed to a minimum of a 7 or 8-wire post and batten standard in accordance with the Hamilton City Council Infrastructure Technical Specification (Section 7).
- Where possible all permanent fences must be located outside the appropriate clear zone in accordance with the WDC District Plan, summarised as follows:

Local Road	up to 500 vpd	4 metres from edge of seal
Collector Road	500-1000 vpd	5 metres “ “
Arterial Road	over 1000 vpd	6 metres “ “
Regional Arterial	over 2500 vpd	7 metres “ “

In special circumstances the clear zone requirements may be relaxed at the sole discretion of the General Manager Service Delivery only if there is a demonstrable benefit to traffic safety and long term Council roadside maintenance activities.

- The fence must be located no closer than 1 metre from any water table.

2.3 Temporary Roadside Fencing Requirements

- Temporary fencing shall be an electric fence made of frangible materials. **The use of steel waratah standards, concrete or timber posts or barbed fencing wire is prohibited.**

- Temporary fences must not be located within 1.5m of the edge of carriageway.
- Temporary fences may not remain in place for more than 7 days.
- Large animals, such as bulls or horses, are not permitted to graze within the road reserve.
- Stock grazing on road reserve behind an approved temporary fence must be removed from the roadside during the hours of darkness.