



Policy Type:	Administrative
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Date Last Reviewed:	26 June 2012

Legal (Parent):
1. Local Government Act 1995 (As Amended) – Section 2.7(2)(b).

Legal (Subsidiary):
1. Consolidated Local Laws – Part XIV – Fencing.

ADOPTED POLICY

Title:	FENCING CONTROL - APPLICATION
Objective:	To provide for adequate assessment of applications for fences which exceed standard Local Law provisions. To ensure neighbouring land owners' views are considered when determining applications for private tennis courts.

1.0 Where an owner wishes to seek dispensation from the standard height limitations or materials contained in the Local Laws Relating to Fencing, application to the City is required. Applications should include plans and illustrations showing the location of the fence and sufficient detail so that the effect on adjoining properties, the streetscape and the structural and safety aspects of the proposal may be determined. In addition, the application should include reasons why the applicant wishes to depart from the normal standards. Where the fence is constructed on the common boundaries of allotments, and exceeds heights provided for in the City's Local Law, the consent of the adjoining owner is to be obtained.

In Instances where this Policy requires consultation with adjoining or affected owners or residents, and where the agreement of the landowner(s) concerned has not been evidenced with the application, Council will invite comment from adjoining owners on the proposal for consideration prior to its determination of the matter.

2.0 Where an application is received for the construction of a tennis court in a residential area, the application will be dealt with by Building Services, observing the following:

2.1 Contact adjoining or affected owners or residents and inform them of the proposed development, together with height and type of fencing and lighting proposed.

2.2 Request letters either objecting or not objecting to the proposal. When there are letters of objection, those objections should be outlined. Should objections to the proposal be received, the application will be placed before Council.

2.3 The tennis court is to be surrounded with a PVC coated steel chain mesh type fence, minimum 50mm mesh and 3m high.

3.0 It is a general requirement that tennis courts may be erected in association with a residence, but may not be erected on a lot with a separate Title, unless connected to a residence by appropriate legal agreement.