



Rural boundary fencing

1. Purpose and intended outcomes

To ensure a consistent approach to land acquisition contracts in rural areas that allow for the construction of boundary fencing.

2. Scope and coverage

This policy applies to all land acquisition contracts in rural areas that allow for the construction of boundary fencing and are entered into from the commencement of this policy.

Any queries regarding boundary fencing in rural areas prior to the commencement of this policy should be referred to the Regional Property Manager.

This policy does not apply to the construction of fauna (floppy top) fencing. Where the RTA is required to construct a fauna fence it will construct the fence within the road reserve and RTA will be responsible for maintenance of the fence.

Within IAM's management system this policy is referred to as **IAM-POL-604**

3. Policy Statement

The duty to prevent stock straying onto the road is the responsibility of the owner/occupier under section 7 of the *Animals Act 1977*. The erection of rural boundary fencing by the RTA does not relieve the owner/occupier of their obligations under the *Animals Act 1977*.

Any future rural boundary fencing constructed by the RTA is to be erected on the boundary line. Care must be taken not to destroy any property survey marks defining the boundary, which should be located by a registered land surveyor. All new land acquisition contracts must clearly stipulate that the landowner/occupier is responsible for maintenance of any fence erected by the RTA.

Maintenance responsibilities for existing fencing are to be determined by the Regional Asset Manager and Regional Property Manager with reference to the RTA's contractual obligations for the subject property.

Where the RTA does not have an existing contractual obligation to maintain the boundary fence, and specific damage to a boundary fence is brought to the attention of the RTA, the RTA should notify the landowner of their maintenance responsibility for the fence and its need for repair. If the landowner/occupier refuses or unreasonably delays the repair of a damaged boundary fence the RTA should, where feasible, make temporary repairs in the road reserve around the damaged section until such time as the landowner/occupier undertakes permanent repairs.

4. Responsibilities

Table I – Responsibilities

What	Who
Prevent stock straying onto road. Includes inspection, emergency repair, permanent repair and upgrade of boundary fencing.	The property owner/occupier except where the RTA has contractual obligation.
Clarify maintenance responsibility for existing rural boundary fencing.	Regional Property Managers and Regional Asset Managers

7. Evaluation

The effectiveness of this policy will be evaluated by way of audit. Specifically, any audit should determine whether any new land acquisition contracts or negotiations with landowners are in line with this policy.

8. Related information

Reference documents:

- *Animals Act 1977*

Records: This policy statement is kept on file 5M3481.




Effective date: 30 May 2010

Review date: 3 years after the 'Effective date'

Policy replaces: Nil.

Approved by:

Peter Collins
Director Network Management

	Further information:
	Policy and Strategy Section
	Tel: 8588 5698 Fax: 8588 4163
	http://home.rta.nsw.gov.au/org/directoratesandbranches/tt/infm/index.html