

A close-up photograph of a person's hands using a claw hammer to drive a nail into a wooden fence post. The hammer has a black handle with a green band. The fence is made of vertical wooden slats. The background is slightly blurred, showing more of the fence and some foliage.

Information for landowners and occupiers

# Sharing the costs of fencing a DCC Boundary

(03) 477 4000  
[www.dunedin.govt.nz](http://www.dunedin.govt.nz)

The Dunedin City Council owns and manages a large amount of land which borders private property. It is important these boundaries are adequately fenced.

The Fencing Act 1978 sets out the process associated with fences built on a common boundary and requires each party to pay an equal share towards the building or repair of a suitable fence.

The Act requires occupiers of adjoining properties to share the cost of work on boundary fences equally unless:

- the current fence is of a 'reasonable' standard
- there is a fencing covenant, contract or agreement to the contrary (these are common in the case of new subdivisions)
- the parties agree that their contributions will not be equal
- one of the property occupiers damages or destroys a fence – then that person must pay the whole cost of repairs.

### **What part does the DCC play?**

As the landowner/occupier, you can ask the DCC to pay half the cost of erecting, replacing or repairing a fence on a boundary between your property and DCC-owned land<sup>1</sup>.

For a residential fence, we will pay half the cost of a timber paling fence up to 1.8m in height. Our contribution will be 50% of the lowest of three quotes.

If you build a smaller or less expensive fence we will also pay 50% of the cost. You can upgrade the fence to a more expensive standard if you wish, but you will need to pay the extra cost.

For rural fences, the same process applies. The DCC will contribute 50% to the lowest of three quotes for a 4mm wire or 2.5mm high tensile wire fence or a prefabricated netting fence (up to 1.2m high). As rural properties can have different requirements, we suggest you call us on 03 477 4000 to discuss what's needed.

It's important to check there is no underground infrastructure along or passing under your boundary line, as this may restrict options for fencing. We can advise you of this.

### **What do I need to do?**

You must submit an application in writing (you can use the form provided on the back of this brochure) to the Customer Services Agency either in person, by post or email [dcc@dcc.govt.nz](mailto:dcc@dcc.govt.nz). If we don't agree with your request, you will be contacted and a cross-notice will be issued within 21 days of your application stating why we object. This notice will include a different proposal, such as varying the height or material of the fence, or proposing construction alternatives. It is then up to the DCC and its neighbours to come to an agreement over the proposed work.

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1 Note this does not apply to fencing at the roadside boundary e.g. road, street, access way (walkway) and service lane, whether formed or unformed.

2 This map is for illustration purposes only.

3 This map is for illustration purposes only.

We try to respond to all fencing requests within five working days of receiving them.

When all parties agree, a contract will be signed and then work can start.

### **What do I need to provide?**

For the DCC to contribute to the cost, you must provide:

- at least three separate recent contractor quotes (including GST) for labour and materials
- a plan taken from the DCC website [www.dunedin.govt.nz/webmaps](http://www.dunedin.govt.nz/webmaps) identifying where the boundary fence will be<sup>2</sup>. Upon receipt of your application a DCC staff member will carry out a site inspection with you to confirm the fence location.

### **What if I want to build the fence myself?**

If you would like the fence to be built by yourself or a friend/family member you must provide us with:

- details of the proposed type of fence and materials, and its accurate measurements
- a plan taken from the DCC website [www.dunedin.govt.nz/webmaps](http://www.dunedin.govt.nz/webmaps) identifying where the boundary fence will be<sup>3</sup>. Upon receipt of your application a DCC staff member will carry out a site inspection with you to confirm the fence location.

### **What if we don't agree?**

We will do our best to work with you to reach an agreement. We're happy to meet to discuss any concerns, either on site or at the DCC. If you have any questions or concerns, please call us on 03 477 4000.

If an agreement is not possible, the matter may be taken to the Disputes Tribunal or the District Court.

### **What happens after the fence is built?**

You need to let us know when the fence is finished so a DCC staff member can visit the site to make sure the fence meets the specifications as per the agreement and information previously provided.

### **When will I be reimbursed?**

If we agree the fence is suitable, we will reimburse you for our share of the costs. Receipts/paid invoices for materials and construction need to be provided, along with a bank deposit slip, so we can make the payment into your account. This usually takes only a few days.

### **What if my existing boundary fence is damaged?**

We will help pay for damage not caused by you, such as vandalism or a vehicle crash. If immediate work is needed, you may arrange this without any notice and recover half the cost from us. Fill in the form on this brochure and provide the receipt/paid invoice and we will contact you about reimbursement.

# Application for contribution towards a boundary fence

Full name:

Property address:

**Contact numbers:**

Home:

Work:

Mobile:

**Emergency repair (Please provide invoice/receipt)**

Amount of repair including GST: \$

Reason for emergency repair/cause of damage:

**New build/upgrade/non-urgent repair**

☐ Non-urgent repair ☐ Replacement ☐ New build

**Quoted cost (please attach copies of quotes):**

Quote #1: \$

Supplier/contractor:

Quote #2: \$

Supplier/contractor:

Quote #3: \$

Supplier/contractor:

Within 21 days of this notice the DCC will respond in one of the following ways:

The DCC agrees with this application and will supply a contract. Once the contract is signed, work can begin.

The DCC objects to an aspect of the application and makes a counter-proposal. The DCC will do its best to work with you to reach an agreement.

The DCC is not obliged to contribute to the cost of the fence. If this is the case, the DCC will advise you and supply the name and address of the person who is responsible for fencing in relation to the property.

Please note, the most the DCC will contribute is 50% of the lowest quote.

This notice is given under the Fencing Act 1978.

Dated this

day of

20

Signed:

If you are responsible for the damage, it is up to you to pay for the repair and we will not contribute.

### **What if I have received a fencing notice?**

In some cases, we may issue a fencing notice asking you to share the costs of a boundary fence. As per the Act, you have 21 days after the notice has been sent to object to the work, giving a valid reason for your objection. You may wish to include a different proposal.

If an objection is not received within 21 days, we will assume you agree and will contact you with a contract to be signed. Work will then start. You will be invoiced for your share of the costs when the fence has been completed.

An example of a fencing notice and cross-notice can be found here: [www.legislation.govt.nz/act/public/1978/0050/latest/whole.html#DLM21888](http://www.legislation.govt.nz/act/public/1978/0050/latest/whole.html#DLM21888)

### **For more information:**

The Fencing Act 1974: <http://www.legislation.govt.nz/act/public/1978/0050/latest/whole.html#DLM21860>

Citizens Advice Bureau – Fences and Boundaries: <http://www.cab.org.nz/vat/hle/np/Pages/FencesBoundaries.aspx>