



# Property Update

## Tawa to Pukerua Bay

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<http://rwporirua.co.nz>

CALL OR EMAIL FOR YOUR LOCAL AREA PROPERTY REPORT

### Frequently Asked Questions

## Fences and Retaining Walls

#### What law applies to fences in New Zealand?

The Fencing Act 1978 generally governs the building and maintenance of fences.

#### What law applies to retaining walls in New Zealand?

In some cases, the Fencing Act 1978 will apply to retaining walls, if they are operating as a boundary fence.

However, there is also a 'right of support' under the common law where owners of land must not remove any existing support (e.g. a retaining wall) without replacing it with appropriate alternative support. The law regarding retaining walls is complex and often you will need to take legal advice if you and your neighbour cannot agree on who pays for a retaining wall or its repair.

#### When is a building consent required?

The Building Act 2004 requires building consents for fences over 2.5 metres high, and for retaining walls over 1.5 metres high.

#### Are there any other things to bear in mind when building a fence or retaining wall?

You may also need to consider requirements or restrictions in any covenants on the land, as in certain subdivisions there may be a restriction on the materials with which a fence may be built, or the colour of a fence.

You may also need to consider putting in place an easement if a retaining wall encroaches or relies on a neighbour's land (e.g. using rock anchors).

#### Who pays for a boundary fence?

Usually, neighbours on either side of a boundary fence will be required to equally share the costs of building or replacing a

fence, under the Fencing Act.

#### When do costs not have to be shared equally?

Costs do not have to be shared equally when the fence is damaged by one of the neighbours who share the fence, by mutual agreement, or when there is an existing covenant or arrangement in place (most commonly in new subdivisions) that states how costs shall be shared.

#### What is the process for notifying my neighbour that a new fence is needed?

The Fencing Act requires you to issue a notice (a 'fencing notice') to the neighbour where the current fence is not adequate. This must include the description of boundary to be fenced, type of fence, method of construction, estimated total cost, how materials to be purchased or supplied and how paid for, and the date for commencement of work.

#### What if my neighbour disagrees with my proposed new fence as described in the notice?

Your neighbour has 21 days after receiving the notice to object and make counterproposals (i.e. suggest a different type of fence, or dispute that a new fence is needed), via a 'cross notice'.

#### What happens if you hadn't notified your neighbour before building a fence?

If the building of the fence was not urgent, and you did not notify your neighbour in advance via a fencing notice, your neighbour

can refuse to pay their share of costs of building the fence.

#### What happens when you can't agree with your neighbour?

If you have followed the process outlined in the Fencing Act (providing the correct notices to your neighbour, etc.) but cannot agree, you can pursue resolution through mediation, arbitration, Disputes Tribunal, or filing in the District Court.

#### What if the repairs are urgent?

If the fence needs immediate repairs and your neighbour is away, you can carry out immediately necessary work without giving your neighbour notice and subsequently arrange for them to pay half of the cost upon their return. This does not include circumstances where the fence is being 'upgraded'.

It applies when the fence is being replaced 'like for like' or fixed to be an adequate fence (i.e. one that is adequate in nature, condition, and state of repair, is reasonably satisfactory for the purpose that it serves or is intended to serve).

Leading law firms committed to helping clients cost-effectively will have a range of fixed-price Initial Consultations to suit most people's needs in quickly learning what their options are.

Therese Greenlees, Registered Legal Executive, Rainey Collins Lawyers <https://www.raineycollins.co.nz/>



## Fixed versus floating for mortgages

*In its recent weekly economic commentary, the Westpac economic team favoured fixing for the longer term.*

"The RBNZ seems to have pretty much closed the door on further OCR cuts and suggests the hurdle for further reductions from here is high. Longer term mortgage rates have started to lift as markets look forward to the return of the OCR to more neutral levels in due course. 3-5 year fixed-rate mortgage rates are now just above 5%

for those borrowers with at least a 20% deposit, while 1-2-year rates are in the 4.5-4.75% range.

Fixing for longer periods of two to five years appears attractive as these will insulate borrowers from a lift in the OCR in the next couple of years."

<https://www.westpac.co.nz/about-us/media/>

# RayWhite

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# Recent Tawa to Kapiti Residential Property Sales

Street	Area	Beds	Floor m <sup>2</sup>	Sold	RV
Fiordland Place	Aotea	4	222	\$1,065,000	\$1,080,000
Paparoa Crescent	Aotea	3	221	\$1,200,000	\$1,170,000
Aoraki Rise	Aotea	4	225	\$1,187,000	\$1,230,000
Aotea Drive	Aotea	4	232	\$1,130,000	\$1,170,000
Tongariro Drive	Aotea	3	190	\$1,010,000	\$1,060,000
Catlins Glen	Aotea	4	232	\$1,183,000	\$1,220,000
Paparoa Crescent	Aotea	4	220	\$1,194,000	\$1,120,000
John Burke Drive	Aotea	4	231	\$1,260,000	\$1,250,000
Warspite Avenue	Ascot Park	3	90	\$636,500	\$680,000
Conclusion Street	Ascot Park	3	100	\$490,000	\$690,000
Champion Street	Cannons Creek	3	106	\$460,000	\$530,000
Koreke Close	Kenepuru	3	118	\$850,000	\$800,000
Koreke Close	Kenepuru	3	151	\$850,000	\$900,000
Koreke Close	Kenepuru	2	100	\$700,000	\$690,000
Kirk Street	Otaki	3	170	\$590,000	\$470,000
Freemans Road	Otaki	3	140	\$650,000	\$580,000
Aotaki Street	Otaki	3	100	\$420,000	\$500,000
Mill Road	Otaki	3	150	\$700,000	\$650,000
Scott Avenue	Otaki Beach	2	119	\$587,500	\$580,000
Robert Mckeen	Otaki Beach	2	69	\$395,000	\$425,000
The Avenue	Otaki Beach	2	66	\$567,500	\$600,000
Kapiti Lane	Otaki Beach	1	51	\$605,000	\$500,000
The Parade	Paekakariki	3	124	\$1,420,000	\$1,210,000
The Parade	Paekakariki	3	130	\$1,180,000	\$1,180,000
Tilley Road	Paekakariki	2	64	\$510,000	\$600,000
Wellington Road	Paekakariki	4	150	\$1,340,000	\$1,200,000
Annan Grove	Papakowhai	3	180	\$730,000	\$860,000
Glengavel Grove	Papakowhai	4	280	\$940,000	\$980,000
Langdale Avenue	Paraparaumu	3	140	\$732,500	\$720,000
Crown Hill	Paraparaumu	4	197	\$915,000	\$850,000
Milne Drive	Paraparaumu	4	210	\$1,300,000	\$1,230,000
Riwai Street	Paraparaumu	3	120	\$585,000	\$560,000
Langdale Avenue	Paraparaumu	3	141	\$880,000	\$780,000
Pukeko Street	Paraparaumu	3	80	\$510,000	\$490,000
Hinemoa Street	Paraparaumu	5	149	\$745,000	\$710,000
Warrimoo Street	Paraparaumu	2	150	\$616,000	\$600,000
Guildford Drive	Paraparaumu	3	176	\$871,000	\$720,000
Hudson Place	Paraparaumu	4	342	\$1,750,000	\$1,670,000
Golf Road	Paraparaumu	3	167	\$1,275,000	\$1,120,000
Nathan Avenue	Paraparaumu	3	140	\$950,000	\$920,000
Mazengarb Road	Paraparaumu	3	170	\$770,000	\$760,000
Leigh Place	Paraparaumu	4	220	\$1,125,000	\$960,000
Oakwood Grove	Paraparaumu	4	320	\$1,200,000	\$1,130,000
Eatwell Avenue	Paraparaumu	5	174	\$855,000	\$790,000
Regent Drive	Paraparaumu	3	180	\$840,000	\$840,000
Petrel Close	Paraparaumu	3	215	\$1,250,000	\$1,160,000
Donovan Road	Paraparaumu	3	110	\$655,000	\$660,000
Sunburst Court	Paraparaumu	3	146	\$775,000	\$750,000
San Vito Place	Paraparaumu	4	210	\$875,000	\$850,000
Monarch Place	Paraparaumu	3	173	\$962,000	\$910,000
Mistral Place	Paraparaumu	3	160	\$807,000	\$770,000
Monarch Place	Paraparaumu	3	173	\$865,000	\$850,000
Manly Street	Paraparaumu	4	147	\$985,000	\$800,000
Bahama Crescent	Paraparaumu	3	135	\$800,000	\$790,000
Regent Drive	Paraparaumu	4	233	\$1,068,000	\$980,000
Paremata Crescent	Paremata	3	70	\$735,000	\$800,000
Mana View Road	Paremata	5	379	\$1,200,000	\$1,300,000
Gordon Road	Plimmerton	3	164	\$940,000	\$990,000
Motuhara Road	Plimmerton	4	230	\$1,300,000	\$1,130,000
Moana Road	Plimmerton	3	150	\$1,150,000	\$1,020,000
Gear Terrace	Ranui	4	120	\$420,000	\$590,000
Mungavin Avenue	Ranui	3	100	\$695,300	\$710,000
Raumati Road	Raumati Beach	3	170	\$895,000	\$750,000
Raumati Road	Raumati Beach	3	170	\$750,000	\$780,000
Hulme Way	Raumati Beach	4	220	\$1,020,000	\$1,060,000
Tui Road	Raumati Beach	4	142	\$860,000	\$840,000

Street	Area	Beds	Floor m <sup>2</sup>	Sold	RV
Kowhai Grove	Raumati Beach	3	180	\$850,000	\$800,000
Kowhai Grove	Raumati Beach	3	119	\$815,000	\$800,000
Avion Terrace	Raumati Beach	3	208	\$1,030,000	\$930,000
Matai Road	Raumati Beach	2	130	\$660,000	\$590,000
Matai Road	Raumati Beach	3	91	\$758,000	\$710,000
Fiesta Grove	Raumati Beach	3	200	\$915,000	\$900,000
Kohutuhutu Road	Raumati Beach	5	310	\$1,750,000	\$1,710,000
Matai Road	Raumati Beach	3	91	\$758,000	\$710,000
Matai Road	Raumati South	2	100	\$600,000	\$630,000
Glen Road	Raumati South	3	128	\$841,000	\$810,000
Rosetta Road	Raumati South	4	156	\$1,410,000	\$1,360,000
The Esplanade	Raumati South	4	220	\$1,122,000	\$1,020,000
Forest Road	Raumati South	3	102	\$830,000	\$750,000
Hillcrest Road	Raumati South	4	150	\$865,000	\$670,000
Dale Road	Raumati South	3	121	\$690,000	\$730,000
Ngatitooa Street	Takapuwhia	4	200	\$840,000	\$690,000
Oxford Street	Tawa	3	140	\$660,000	\$680,000
Tawa Terrace	Tawa	3	100	\$710,000	\$780,000
Woodman Drive	Tawa	4	210	\$774,000	\$910,000
Wilfred Street	Tawa	4	170	\$895,000	\$850,000
Main Road	Tawa	2	100	\$615,000	\$630,000
Lyndhurst Road	Tawa	3	159	\$655,000	\$740,000
State Highway 1	Te Horo	3	100	\$705,000	\$700,000
Hautere Cross Road	Te Horo	4	162	\$960,000	\$880,000
Brendan Drive	Te Horo Beach	4	140	\$800,000	\$840,000
Main Road	Titahi Bay	3	140	\$790,000	\$830,000
Matatiro Street	Titahi Bay	3	100	\$780,000	\$660,000
Clipper Street	Titahi Bay	4	130	\$700,000	\$750,000
Inlet View	Titahi Bay	4	160	\$797,475	\$840,000
State Highway 1	Waikanae	3	150	\$1,142,999	\$1,110,000
Kakariki Grove	Waikanae	4	232	\$1,278,000	\$1,200,000
Matipo Street	Waikanae	2	100	\$575,000	\$610,000
Rewarewa Crescent	Waikanae	2	120	\$685,000	\$740,000
Hurworth Grove	Waikanae	3	139	\$800,000	\$760,000
Kakariki Grove	Waikanae	4	220	\$915,000	\$880,000
Seddon Street	Waikanae	4	281	\$1,250,000	\$1,500,000
Hurunui Street	Waikanae	3	160	\$780,000	\$840,000
Hurunui Street	Waikanae	3	240	\$1,100,000	\$890,000
Belvedere Avenue	Waikanae	2	120	\$600,000	\$530,000
Rimu Street	Waikanae	3	180	\$855,000	\$820,000
Iti Grove	Waikanae	4	187	\$760,000	\$820,000
Matai Street	Waikanae	2	110	\$575,000	\$560,000
Te Moana Road	Waikanae	3	143	\$735,000	\$850,000
Morepork Drive	Waikanae	3	226	\$1,150,000	\$1,060,000
Matipo Street	Waikanae	4	165	\$880,000	\$820,000
Te Moana Road	Waikanae	4	230	\$1,060,000	\$1,000,000
Oriwa Street	Waikanae	3	94	\$760,000	\$740,000
Waiheke Street	Waikanae	3	140	\$990,000	\$870,000
Titoki Road	Waikanae	3	98	\$723,000	\$780,000
Queens Road	Waikanae	2	110	\$570,000	\$700,000
Oratia Street	Waikanae	4	280	\$1,278,000	\$1,240,000
Hicks Crescent	Waikanae	4	228	\$849,000	\$820,000
Bosun Terrace	Whitby	4	220	\$965,000	\$1,010,000
Staithe Drive North	Whitby	3	180	\$685,000	\$780,000
Moonsail Drive	Whitby	4	155	\$925,000	\$890,000
Portage Place	Whitby	4	330	\$1,265,000	\$1,250,000
Joseph Banks Drive	Whitby	4	260	\$850,000	\$960,000
Cartographer Way	Whitby	2	109	\$812,000	\$880,000
Hicks Close	Whitby	3	130	\$800,000	\$780,000
Discovery Drive	Whitby	4	230	\$731,000	\$890,000
Saunders Close	Whitby	4	270	\$1,020,000	\$950,000
The Layline	Whitby	5	276	\$1,250,000	\$1,210,000
Albatross Close	Whitby	3	130	\$731,825	\$760,000
Yorkshire Close	Whitby	3	170	\$997,000	\$1,080,000
Resolution Drive	Whitby	3	157	\$830,000	\$900,000

This sampling of recent sales was extracted from data compiled by The Real Estate Institute of NZ and represents sales from all real estate companies in the area and not just Ray White. For privacy purposes no street numbers are published here.