



Understanding Planning

Decks & Terraces

Planning & building rules

Under the provisions of the Nelson Resource Management Plan (NRMP) a deck that meets specific height requirements can be erected without resource or building consents.

A deck or terrace **higher than 1.0m** is classed as a **building** for the purposes of the Building Act and requires Building Consent - this is to ensure such structures are erected to a satisfactory safety standard.

If the height is more than 1.2m then restrictions in regards to the location of the deck apply under the NRMP (refer to next page).

Buildings (as defined in the NRMP) are also controlled by daylight provisions and location within yards – this is to ensure that buildings do not cause any adverse environmental effect to adjoining neighbours.

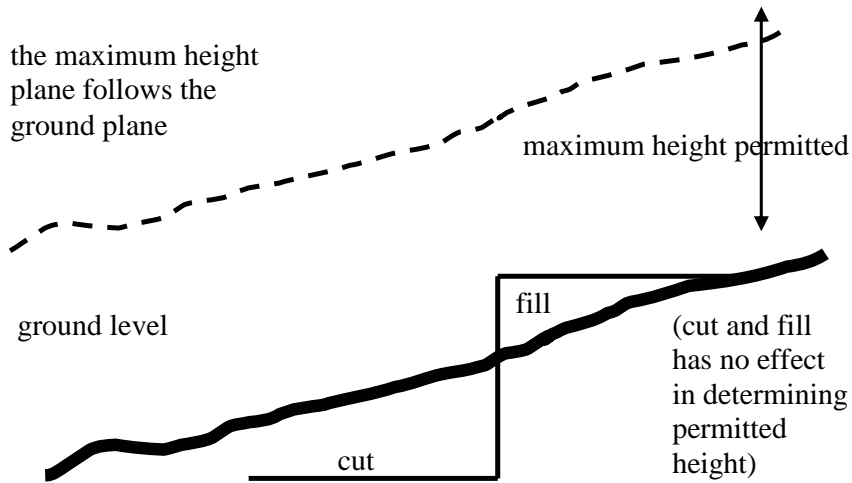
Meaning of words

Height in relation to a structure means either:

- a) the vertical distance between any part of the structure and **ground level** immediately below that part of the structure, or
- b) the vertical distance between the highest part of the structure and mean ground level (which is the average level of the ground around the external foundations of the structure).

Ground Level means the original ground level; or the finished ground level for earthworks in the case of:

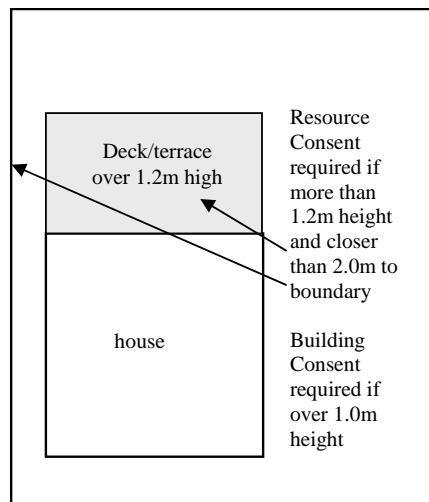
1. 'original ground level' means the level of the ground that existed before any excavation for new buildings or structures on the land is undertaken
2. 'finished ground level' accords with the ground level dictated by a), b) or c) below, where infilling must be undertaken to the level required to deal with the hazard, but before any excavation or infilling for new buildings or structures on the land is undertaken:
 - a) a rule in the PNRMP relating to low lying sites, or
 - b) a resource consent granted subject to the Inundation Overlay, or
 - c) a resource consent granted for a subdivision.



Council planning requirements

Decks, verandas, balconies, or any similar structures, with a finished floor level in excess of 1.2m above natural ground level at any point, including terraces formed behind retaining walls supporting fill material are permitted, if:

- they are set back at least 2 metres from any side or rear boundary (other than a boundary with a reserve, access, right-of-way, stream or river), and
- the entire structure, (including any railings, fences and canopies) complies with the requirements for daylight admission and maximum building height in the Nelson Resource Management Plan.



More building rules

All decks which are more than 1.0m off the ground require a building consent **before** any work commences.

Before a building consent will be issued you will need to have adequate plans and specifications to enable the council to determine whether the structure complies with the relevant aspects of the Building Code.

Complex structures may require a producer statement from a design engineer to verify that the structure complies.

Where any deck is more than 1.0m above the ground it must be provided with a handrail for protection which in the case of residential property must be at least 1000mm high. There should be no gap greater than 100mm between balusters thereby preventing a small child squeezing through.

Any deck that is provided for a swimming pool under the Fencing of Swimming Pools Act 1987 must comply with special provisions to ensure that the safety of children is not compromised.

Contact details

If you need any further information please do not hesitate to contact the Nelson City Council's Planning and Consents Section and ask to talk to the Duty Planner.

Direct Dial: (03) 546 0357