

## RMA Planning/Resource Consents

# RESIDENTIAL ZONE

### Frequently Asked Questions

<b>FAQ</b> Refer to the <b>Nelson Resource Management Plan (NRMP)</b> for rules in full	<b>Rule</b>
<p><b>How close to the boundary can I build?</b></p> <p><u>Road boundary setback</u> – buildings* (including the eaves and gutters) must be set back at least 1.5m from the road boundary.</p> <p><u>Side or rear boundary setback</u> - buildings (including the eaves and gutters) must be set back at least 1.5m from a side or rear boundary if the total length of buildings along that boundary exceeds 12m.</p> <p>There are also daylight admission rules that may influence how close to the boundary you can build.</p> <p>*Note – “buildings” mean any structure made by people that is fixed to land whether temporary or permanent or moveable. For example a container counts as a building if it is fixed to the ground.</p> <p>Please also note there are rules relating to how close you can build to drains and water mains.</p>	<p>REr.25 REr.26 REr.35</p>
<p><b>Where can I build a garage on my section?</b></p> <p>If within the front yard (the first 4m from the road boundary) any garage, carport or accessory building must be set back at least 1m further from the road boundary than the wall of the house that faces the road.</p> <p>There are also daylight admission rules that may influence how close to the boundary you can build.</p>	<p>REr.25 REr.35</p>

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<p><b>How high can I build my fence?</b></p> <p>How high you can build a fence depends on where it is located. The following table shows the permitted height for fences along a boundary:</p> <table border="1" data-bbox="188 434 1198 913"> <thead> <tr> <th>Maximum Height</th> <th>Visual permeability</th> <th>Where can I build it?</th> </tr> </thead> <tbody> <tr> <td>1.2m</td> <td>No restrictions</td> <td>Any boundary</td> </tr> <tr> <td rowspan="3">1.8m</td> <td rowspan="2">Entirely visually permeable</td> <td>Boundary (or within front yard) of an 'unclassified' road</td> </tr> <tr> <td>Boundary with a public space (e.g. a reserve)</td> </tr> <tr> <td>At least 50% across the entire front boundary is visually permeable</td> <td>Boundary (or within front yard) of a 'classified' road</td> </tr> <tr> <td>No restrictions</td> <td>Any other property boundary</td> </tr> </tbody> </table> <p>Refer also to the <b>Residential Fences</b> brochure for definitions and further information.</p>	Maximum Height	Visual permeability	Where can I build it?	1.2m	No restrictions	Any boundary	1.8m	Entirely visually permeable	Boundary (or within front yard) of an 'unclassified' road	Boundary with a public space (e.g. a reserve)	At least 50% across the entire front boundary is visually permeable	Boundary (or within front yard) of a 'classified' road	No restrictions	Any other property boundary	REr.31
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<p><b>How much of my property can I cover with building(s)?</b></p> <p>This depends where within the Residential Zone the site is located. <i>Building coverage</i>* of the <i>net area</i><sup>†</sup> of any site must not exceed:</p> <p>30% in the <i>Lower Density Area</i> or <i>Lower Density Area (Stoke)</i></p> <p>60% in the <i>South St Heritage Precinct</i></p> <p>40% in the remainder of Residential Zone (including Higher Density Area).</p> <p>* Building coverage can include other areas i.e. the area for required off-street car parking spaces which is not covered by buildings.</p> <p>† Net area excludes some areas i.e. access to a rear site.</p>	REr.24														
<p><b>What can I do about my neighbour's proposed building blocking my view?</b></p> <p>Generally, the planning rules in the NRMP do not control loss of view. The maximum height for buildings is 7.5m.</p>	REr.32														

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<p><b>Can I subdivide my property?</b></p> <p>All subdivision and boundary adjustments require resource consent. If minimum standards are met (e.g. each allotment has a net area of at least 400m<sup>2</sup> in the standard residential zone), Council will grant the resource consent subject to conditions to ensure the site is adequately serviced and ready for further development.</p>	REr.107
<p><b>Can I convert part of my house into a granny flat?</b></p> <p>A second residential unit must comply with all the zone rules. In the standard residential zone 400m<sup>2</sup> must be allocated exclusively to each residential unit. Parking and vehicle manoeuvring requirements must also be met for each unit.</p>	REr.23 and others
<p><b>Can I relocate my driveway?</b></p> <p>A Vehicle Access Alteration is required - the application form can be found at the Nelson City Council website or customer services centre. An approved installer is required to undertake the work. The minimum distance between vehicle crossings must be 7.5m. Other minimum standards apply for the new crossing, including sufficient sight distances (visibility splay).</p>	REr.40 Appendix 11, Land Development Manual
<p><b>Can I run a business from home?</b></p> <p>Yes. A business carried out on a residentially zoned site is known in the NRMP as a <i>home occupation</i>. This is permitted providing a number of conditions are met. These include conditions relating to the continuing residential use of the site, the number of others involved in the activity, the effect of the activity on residential amenity, the visibility of the activity and vehicle use. The rule also includes a list of activities that are not permitted as home occupations.</p>	REr.21
<p><b>Can I rent out my house as a holiday home?</b></p> <p>As long as you are still living in the house you can have up to four holiday makers stay as well. Otherwise the activity will be classed as a commercial or non-residential activity and requires resource consent.</p>	REr.20

<b>FAQ</b> Refer to the <b>Nelson Resource Management Plan (NRMP)</b> for rules in full	<b>Rule</b>												
<p><b>Can I put a sign up outside my home?</b> Signs are permitted if they fit within the following dimensions:</p> <table border="1" data-bbox="188 315 1198 622"> <thead> <tr> <th>Reason for sign</th> <th>Maximum height</th> <th>Maximum area</th> </tr> </thead> <tbody> <tr> <td>Property name signs</td> <td>2m</td> <td>0.25m<sup>2</sup></td> </tr> <tr> <td>Home occupation (business) signs</td> <td>2m</td> <td>0.5m<sup>2</sup></td> </tr> <tr> <td>Signs for non-residential activities*</td> <td>2m</td> <td>1m<sup>2</sup></td> </tr> </tbody> </table> <p>*Note the non-residential activity itself requires resource consent.</p>	Reason for sign	Maximum height	Maximum area	Property name signs	2m	0.25m <sup>2</sup>	Home occupation (business) signs	2m	0.5m <sup>2</sup>	Signs for non-residential activities*	2m	1m <sup>2</sup>	REr.41 Appendix 20
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<p><b>I'm thinking of buying a heritage building - what are the restrictions?</b> Only redecoration or restoration resulting in the similar appearance to the original building can be carried out without resource consent. Alterations, new buildings on the property or demolition activities will require resource consent from the Council and approval from NZ Historic Places Trust. Note: demolition of buildings listed as Category C items do not require a resource consent provided two months written notice is given to the Council prior to the work being done.</p>	REr.85-88												
<p><b>What level of earthworks can I do without resource consent?</b> Filling or excavation up to 1.2m in vertical height or depth is permitted. Over this height and up to 3m, the fill or excavation must be immediately retained by a structure (with building consent approval) and any excavation must be at least its vertical depth away from a property boundary. All soil must be managed so that there are no adverse effects on adjoining properties or waterways.</p>	REr.61												
<p><b>Can I install or replace an open fire or wood burner?</b> New installations of open fires or wood burners are prohibited. Installation of a pellet burner is permitted. A wood burner that was authorised by the Council may be replaced with a Council approved 'clean air' burner.</p>	AQr.21-26												

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<p><b>Can I live in a caravan parked on my lawn?</b></p> <p>If the caravan is fixed to the land then all rules (both planning and building code) relating to buildings and residential activities apply to the caravan.</p> <p>If it is not fixed to the land the caravan must be at least 4m set back from the road boundary and at least 1.5 m from other boundaries. Occupants must use the toilet and cooking facilities of the house and only live in the caravan for up to 50 days in any 12 month period.</p>	NCC Bylaw 215
<p><b>Can I build a pizza oven?</b></p> <p>Outdoor food cooking is permitted in a hangi, barbeque or pizza oven as long as the smoke and odours are not objectionable beyond your property boundary and no garden or household waste is burnt.</p>	AQr.54

***This FAQ only mentions some rules. Other rules and exceptions may also be relevant. Do not rely on this FAQ to make decisions about your property.***

Plan changes occur from time to time and this FAQ will be updated to reflect the relevant changes as soon as is practicable. In addition to standards and consents required under the Resource Management Act, the proposed activity may also need building consent, licences and permits under other legislation such as the Building and Health Acts.

***Please see the Plan for full details or seek further information from the Council by one of the methods listed below:***

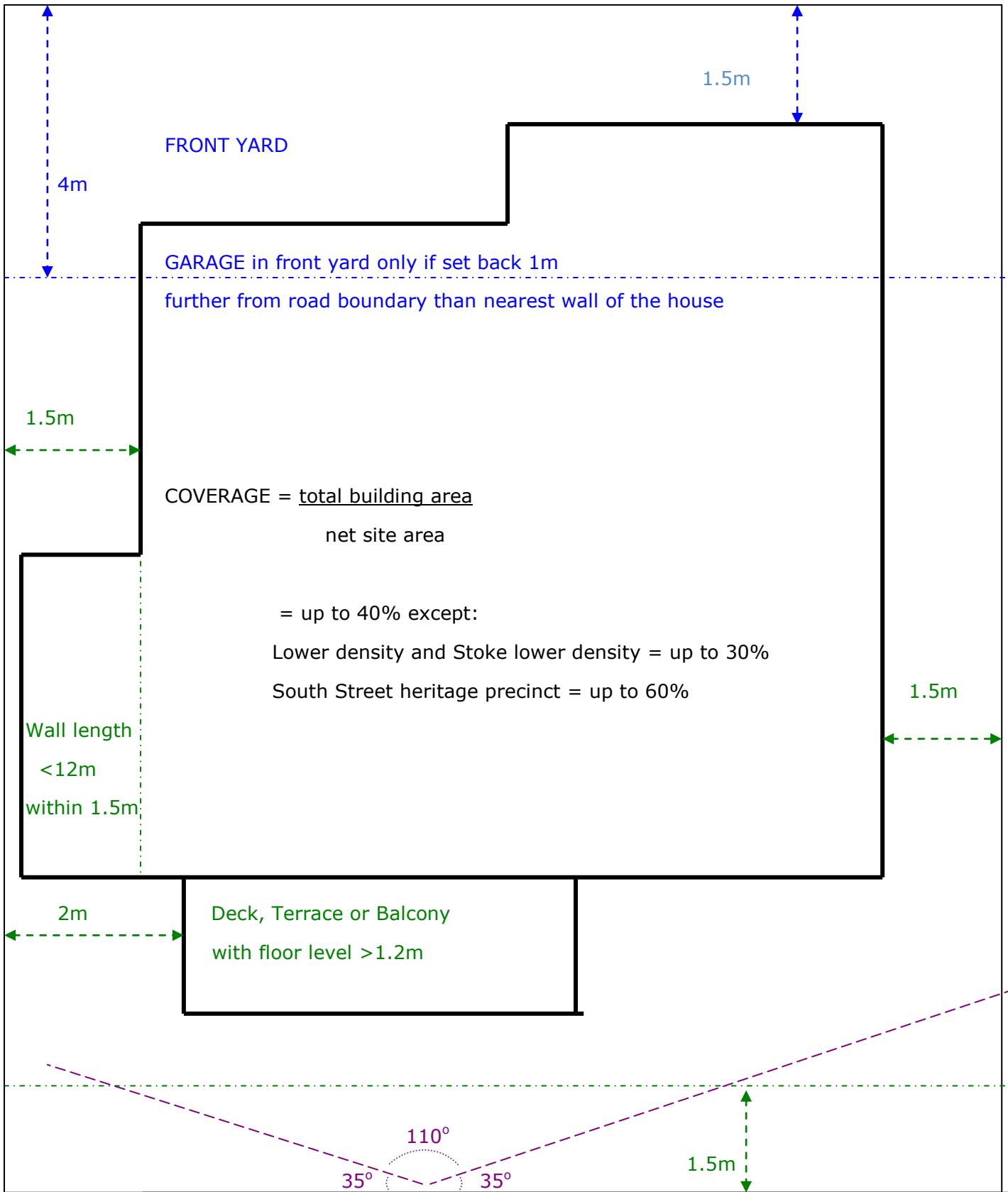
To download relevant parts of the Plan, check zoning maps on the GIS system and download application forms in the Building and Planning section of our website:

[www.nelson.govt.nz](http://www.nelson.govt.nz)

Phone for an appointment with the duty planner: 546 0200

Duty Planner email: [dutyplanner@ncc.govt.nz](mailto:dutyplanner@ncc.govt.nz)

Road boundary



"Point P"  
**Daylight around** (OR use daylight over)

