

# Spring Building or Renovating? See your Council first!

## DECKS, RETAINING WALLS, PERGOLAS AND FENCES -

If you want to build on your property, make sure it's legal by getting consent through the Council. If you are unsure about whether consent is required then feel free to ask us. A Technical Officer can look at your plans and advise on what is required.

Hutt City Council highly recommends that you apply for a Building Consent for any building work, as you may wish to construct over the works at a later stage and this may require a consent. It will be difficult to acquire consent if the Council has no records.

It is worthwhile noting that insurance companies will not insure un-consented work, so it's worth clarifying whether you'd be covered by them.

Here's some information to help you get it right, before you start building.

### DECKS

The construction of a deck from which it is not possible to fall more than 1 metre does not require a Building Consent, but still must comply with the NZ Building Code.

If the deck meets any of the criteria below it **will** require a Resource Consent.

Under the District Plan a deck is determined to be a "building" if it is:

- 1) 1.2m or higher or
- 2) Has an area of 20m<sup>2</sup> or more or
- 3) Has a roof or pergola over it

There are other restrictions which may be applicable, such as building over Council drains or your own drains, so please speak to a Council Officer first.

### RETAINING WALLS

A Building Consent is not required for a retaining wall less than 1.5m high, **provided** it does not support any surcharge or any load additional to the load of that ground (for example the load of vehicles on a driveway)

If engineering calculations are needed then a Building Consent is required.

A Resource Consent may be required for a retaining wall higher than 1.2m high, please speak to a Council Planner.



### PERGOLAS

A Pergola does not require a Building Consent if it is less than 10m<sup>2</sup>, no higher than 1 storey, its own height away from all boundaries and is not attached to the house.

Building work in connection with the closing in of an existing veranda, patio, or the like, so as to provide an enclosed porch, conservatory, or the like with a floor area not exceeding 5m<sup>2</sup> does not require a Building Consent.

A pergola may require a Resource Consent as it is defined as a building, so please speak to a Council Planner.

### FENCES

A Building Consent is not required for a fence that is no higher than 2 metres.

## SWIMMING POOLS AND SPA POOLS

If your pool is deeper than 400mm then you need to put a fence around it, under the Fencing and Swimming Pool Act 1987. You must have a fence around your pool no matter when the pool was installed.

It's not just swimming pools that need a fence around them - you also need to put a fence around water features and spa pools, if they're 400mm or deeper.

An above ground pool where the side walls are 1.2m or higher above the ground or any permanent object does not require fencing.

You still need fencing if you have a lockable lid on your pool.

We have a free pamphlet available about when to fence and what type of fence you should use.

### POOL FENCING

A fence that complies with the Fencing of Swimming Pools Act 1987 is one that prevents any child up to 6 years of age from climbing over, under, or through it.

Fencing that complies:

- The minimum height is 1.2 metres above ground level and there is a 1.2m wide unobstructed clear area around the outside (so for example, if there is decking within 1.2m of the fence, then the fence must be at least 1.2m above the level of the decking). There must also be no projections such as tree branches or hedges within 1.2m of the fence, and
- No space between or under fence pickets or bars is more than 100mm; and
- The fence is constructed of perforated material, netting or mesh with no opening greater than 10mm for a 1.2 metre high fence and no greater than 50mm for 1.8 metre high fence; and
- Horizontal boarded fences have all the gaps filled; and
- All support rails, bracing etc that are not vertical are made inaccessible for climbing from the outside; or
- The support rails are on the outside, the distance between any 2 of them must be at least 900mm; and
- The fence must surround the immediate pool area

### BOUNDARY FENCES

If the pool fence is also a boundary fence **be aware** that you may have **no** control over any object placed against the neighbour's side which might allow a child to climb over. However it is still your responsibility to prevent them from accessing the pool area without supervision.

*Additional information may be obtained from the following websites: [www.dbh.govt.nz](http://www.dbh.govt.nz), [www.consumerbuild.org.nz](http://www.consumerbuild.org.nz), [www.buildingguide.co.nz](http://www.buildingguide.co.nz)*



### POOL GATES

- Gates or hinged doors must comply with the following:
- They must be fitted with a self-closing device capable of closing them and operating the latching device from an opening distance as small as 150mm, and
  - They are clear of anything that could hold them open, and
  - They will not lift off their hinges or unlatch if pulled down or lifted up, and
  - They must have a latch which, if on the pool side, must be accessible only from over the top of the fence or through a hole at least 1.2m above the ground, or if on the outside must be at least 1.5m above the ground, and
  - They must open away from the pool, and
  - Have a Council supplied self-adhesive notice affixed to all pool access doors.

Pools must remain empty until they have an approved complying fence installed.

**These rules are here for the health, safety and wellbeing of our whole community**

You can contact us by phone: (04) 570 6666, email: [contact@huttcity.govt.nz](mailto:contact@huttcity.govt.nz) or internet: [www.huttcity.info](http://www.huttcity.info)

