

Chapter 37A JERVOISTOWN ZONE – RULES**INTRODUCTION**

This Chapter contains rules managing land uses in the Jervoistown Zone. The boundaries of this zone are shown on the planning maps.

Unserviced settlements such as Jervoistown rely on generous areas of open permeable spaces in order for the on-site services to be able to operate effectively and efficiently. The ability for on-site services to operate properly within Jervoistown is however compromised by the physical characteristics of the area, which are;

- Lack of reticulated sewerage system
- Rural standard roads
- Poor stormwater disposal system

Stormwater disposal in Jervoistown is of particular concern because of the lack of reticulated services and the means in which to adequately dispose of stormwater particularly in times of heavy and prolonged rain events.

The rules in this plan reflect that development on sites smaller than 2500m² would have significant cumulative effects on the environment. No budget provision has been made for additional services to the Jervoistown area. The adverse effects of further development in Jervoistown on stormwater and roading systems would be significant.

To ensure that any future urban development occurs in Jervoistown in a planned and controlled manner two structure plans have been developed. One is to accommodate limited subdivision with a minimum lot size of 2500m² and the second one to set a framework for full urbanisation of the Jervoistown Zone. The structure plans seek to:

- Increase certainty for developers, Napier City Council and the public as to how the area will be developed in the future.
- Provide an integrated management approach to the environmental issues that affect the area.
- Confirm a coordinated approach to infrastructure provision.

In the meantime residential subdivision and development on this land is tightly restricted until the area is fully serviced. This will only occur if a clear majority of land owners in the Jervoistown Zone want and will pay for full urban services to be put in place. The majority threshold is 75% of land owners and will be determined by one vote per individual site (site being as defined in Chapter 68 (Definitions) of the District Plan. In the interim, the plan enables some limited development to occur while also retaining the current character and amenity of Jervoistown through applying the proposed provisions of the Jervoistown Zone.

All rules apply throughout the Jervoistown Zone unless otherwise stated.

For a summary of Jervoistown Zone Rules refer to page 37A.02

37A.1 Summary of Jervoistown Zone Rules

The following is a quick reference guide that summarises the Jervoistown Zone Activity Table and Condition Table. It is intended to be a guide only and should not be used in place of the Jervoistown Zone Activity Table and Condition Table elsewhere in this Chapter.

Rule Number and Description		Classification	Page Number
Rule 37A.2	Residential activities.	Permitted	3
Rule 37A.3	Home occupations.	Permitted	3
Rule 37A.4	Scheduled sites.	Permitted	3
Rule 37A.5	Land development (includes subdivision of lots down to 2500m ² or greater, but excludes Multi Unit Development).	Controlled	4
Rule 37A.6	Relocation of a building from another site.	Controlled	4
Rule 37A.7	Any use or development of land referred to in Rules 37A.2 to 37A.7 that does not comply with all the relevant conditions, unless stated by a rule elsewhere in this Chapter.	Restricted Discretionary	5
Rule 37A.8(a)	A supplementary unit.	Discretionary	5
Rule 37A.8(b)	Retirement complexes.	Discretionary	5
Rule 37A.8(c)	Residential care facilities.	Discretionary	5
Rule 37A.8(d)	Day care centres.	Discretionary	5
Rule 37A.8(e)	Travellers' accommodation.	Discretionary	5
Rule 37A.8(f)	Education facilities.	Discretionary	5
Rule 37A.8(g)	Use of explosives, other than for temporary military training purposes.	Discretionary	5
Rule 37A.8(h)	Any business of prostitution	Discretionary	5
Rule 37A.8(i)	Any land use not identified as a permitted activity, a controlled activity, a restricted discretionary activity or a prohibited activity.	Discretionary	5
Rule 37A.8(j)	Boundary adjustments and subdivision for a network utility operation	Discretionary	5
Rule 37A.8(k)	Any landuse that does not comply with the conditions in Rule 37A.32 (Development of Land within Structure Plan Areas) with exception of subdivision of lots to less than 2500m ² which is a prohibited activity (Refer to Rule 37A.9.1a))	Discretionary	5
Rule 37A.9(a)	Subdivision of lots to less than 2500m ² (excludes boundary adjustments and subdivision for a network utility operation)	Prohibited	6

JERVOISTOWN ZONE – ACTIVITY TABLE

PERMITTED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>37A.2 Residential Activities</p> <p>1. Any residential activity is a permitted activity provided that:</p> <p>a) It complies in all respects with the relevant conditions in the Jervoistown Zone activity table and condition table.</p> <p>NOTE: Consultation with HBRC is advised for any building or activity requiring services on sites that are unserved. The Council may request evidence of compliance with the provisions of the Hawke's Bay Regional Resource Management Plan for water, stormwater and/or wastewater.</p>	
<p>37A.3 Home Occupations</p> <p>1. A home occupation is a permitted activity provided that:</p> <p>a) Not more than one full time equivalent job is created for a person(s) residing outside the dwelling unit.</p> <p>b) At all times, the home occupation must remain incidental and secondary to the use of the dwelling unit for residential purposes.</p> <p>c) The maximum area of the home occupation must not exceed 30% of the gross floor area of the dwelling unit.</p> <p>d) Any outdoor storage associated with the home occupation must be screened from view of any adjacent sites and public open space.</p> <p>e) Where the home occupation is located in the required garage, alternative parking spaces must be available on site for two vehicles. One of these sites shall have the dimensions of a notional garage. The notional garage must comply with all the relevant access and manoeuvring conditions in Chapter 61 (Transport) of this Plan.</p> <p>f) Retailing of goods must not occur from the site.</p> <p>g) Vehicle movements generated by the home occupation must not exceed a daily average of 20 and must not attract pedestrian or vehicular traffic between 2200 hours and 0700 hours the following day.</p> <p>NOTE: A Vehicle movement means the arrival and departure of the vehicle from the site.</p> <p>h) The home occupation must comply in all respects with the relevant conditions in the Jervoistown Zone activity table and condition table.</p> <p>2. Any home occupation used for the purposes of a business of prostitution that does not comply with all of the relevant conditions is a discretionary activity. (Refer Rule 37A.8).</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 38.8 including the following:</p> <ul style="list-style-type: none"> - The effects on the residential character of the neighbourhood. - The effects on public health and safety. - The effects on amenity values. - The effects on traffic and pedestrian safety. - The type, frequency, and timing of traffic.
<p>37A.4 Scheduled Sites</p> <p>1. Any scheduled land use on a scheduled site is permitted provided that:</p> <p>It complies in all respects with the rules in Chapter 55 (Scheduled Sites) in this Plan.</p>	<p>The Council will restrict its discretion to the matters referred to in Chapter 55 (Scheduled Sites) of this Plan.</p>

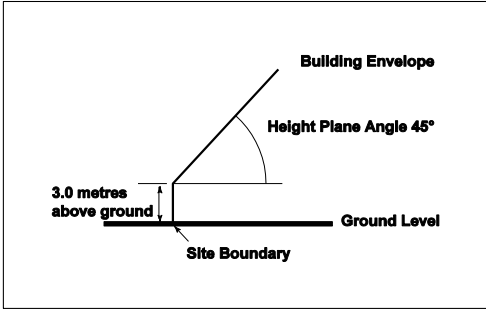
CONTROLLED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>37A.5 Land Development (including Subdivision, but excluding Multi Unit Development)</p> <p>1. Land development, including subdivision but excluding multi unit development is a controlled activity provided that:</p> <ul style="list-style-type: none"> a) It complies in all respects with the standards and terms specified in Chapter 66 (Volume II) of this Plan. b) It complies in all respects with the relevant conditions in the Jervoistown Zone Activity Table and Condition Table. c) It is assessed according to the matters in Chapter 66 (Volume II) over which the Council has reserved its control. <p>2. Except as provided for in Section 94C of the Resource Management Act, applications will not be publicly notified in respect of land development (including subdivision) that fully complies with the standards and terms, and notice of applications need not be served.</p>	<p>The Council will exercise its discretion over the matters referred to in Rule 37A.8, including the assessment criteria specified in Chapter 66 (Volume II) of this Plan.</p>
<p>37A.6 Relocation of Buildings</p> <p>1. Relocation of a building from another site is a controlled activity provided that:</p> <ul style="list-style-type: none"> a) The relocation of a building complies in all respects with the relevant conditions in the Jervoistown Zone activity table and condition table. b) A written assessment must be submitted with each application which must: <ul style="list-style-type: none"> i) Include a statement from a building certifier or registered engineer that the building is structurally sound. ii) State the condition of the building and the reinstatement works needed to bring the building up to an external visual appearance that is compatible with other buildings in the vicinity. iii) State the proposed timetable to complete external reinstatement of the building within 12 months from the date of consent. iv) Provide clear photographs of the building in its current state. v) Provide such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of reinstatement work. <p>The Council shall exercise its control over the following:</p> <ul style="list-style-type: none"> c) The design, materials and timetable of the proposed reinstatement works. d) The imposition of any financial contributions in accordance with Chapter 65 (Financial Contributions) of this Plan. e) The imposition of a performance bond to complete the reinstatement of the building. <p>2. Except as provided for in Section 94C of the Resource Management Act, applications will not be publicly notified in respect of relocated buildings that fully comply with the standards and terms, and notice of applications need not be served.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 37A.8, including the following:</p> <ul style="list-style-type: none"> - The structural integrity of the building. - The imposition of a performance bond. - The timing of reinstatement works. - The effects on the built character of the surrounding area. - The effects on amenity values. - The effects on infrastructural services.

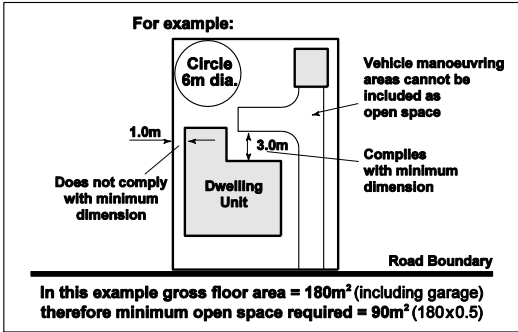
RESTRICTED DISCRETIONARY ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>37A.7 Land Uses Not Complying With Conditions</p> <p>1. Any subdivision, use or development of land in rules 37A.2 to 37A.7 that does not comply with all of the relevant conditions in the Jervoistown Zone activity table and condition table, is a restricted discretionary activity, unless stated by a rule elsewhere in this Chapter.</p> <p>NOTE: Refer to Chapter 53 Network Utilities for Subdivision for the Purposes of a Network Utility Operation.</p>	<p>The Council will have regard to the relevant objectives and policies of the Plan and will restrict its discretion to:</p> <ul style="list-style-type: none"> - The matters identified in the second column of the Jervoistown Zone activity table and/or condition table. - The cumulative effect of non-compliance with more than one condition. - In respect of a controlled activity failing to comply with all of the relevant conditions, those matters the Council had reserved its control over. - The matters set out in Chapter 1.6.5. - The assessment criteria in Chapter 39 of this Plan where applicable.
DISCRETIONARY ACTIVITIES	
<p>37A.8 Discretionary Activities</p> <p>1. The following land uses are discretionary activities. A resource consent application must be made and consent may be declined or granted with or without conditions. The Council will have regard to the objectives and policies of this Plan and the assessment criteria in Chapter 39. The Council's discretion is unrestricted.</p> <p>a) A supplementary unit.</p> <p style="padding-left: 20px;">i) The unit must consist of a single bedroomed dwelling unit.</p> <p style="padding-left: 20px;">ii) The gross floor area of the unit must not exceed 80m² including a notional garage.</p> <p style="padding-left: 20px;">iii) The unit need not comply with the open space condition.</p> <p style="padding-left: 20px;">iv) The unit must comply in all other respects with the relevant conditions in the Jervoistown Zone activity table and condition table.</p> <p>b) Retirement complexes.</p> <p>c) Residential care facilities.</p> <p>d) Day care centres.</p> <p>e) Travellers' accommodation</p> <p>f) Education facilities.</p> <p>g) Use of explosives, other than for temporary military training purposes.</p> <p>h) Any business of prostitution (including those that do not comply with all of the relevant conditions as a Home Occupation).</p> <p>i) Any land use not specifically stated by a rule elsewhere in this Chapter as a permitted activity, a controlled activity, restricted discretionary activity, or a prohibited activity.</p> <p>j) Any boundary adjustment.</p> <p>k) Any landuse that does not comply with the conditions in Rule37A.32 (Development of Land within Structure Plan Areas) with the exception of subdivision of lots to less than 2500m² which is a prohibited activity (Refer to Rule 37A.9.1 a))</p>	

PROHIBITED ACTIVITIES	
<p>37A.9 Prohibited Activities</p> <p>1. The following land uses are prohibited activities for which no resource consent shall be granted:</p> <ul style="list-style-type: none">a) Subdivision to lots of less than 2500m² (excludes boundary adjustments and subdivision for a network utility operation)	

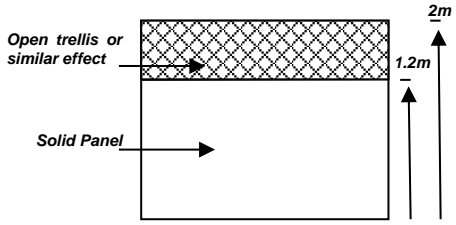
JERVOISTOWN ZONE – CONDITION TABLE

CONDITIONS FOR PERMITTED ACTIVITIES AND CONTROLLED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>37A.10 Density</p> <p>1. The following density conditions shall apply to all residential activities:</p> <p>a) The maximum density must not exceed one dwelling unit per site.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The effects on infrastructural services. - The effects of stormwater run-off. - The effects of sewage/effluent/waste disposal. - The effects on the amenity values of the area. - The effects on the health, safety and wellbeing of people residing in the area. - The existing and built density of the area. - The effects on the open space appearance of the area. - The scale and bulk of the building in relation to the site.
<p>37A.11 Yards</p> <p>1. The following yard conditions shall apply to all land uses:</p> <p>a) Front Yards</p> <p>i) Any part of a building must not be erected closer than 6 metres to the road boundary, except that:</p> <ul style="list-style-type: none"> • Eaves, fascias, gutters, down pipes, chimneys and flues may encroach on the minimum setback by a distance of up to 1 metre. <p>b) Front Yard Landscaping</p> <p>On all sites other than rear sites, 60% of the front yard must comprise landscaped permeable surface.</p> <p>c) Other Yards</p> <p>i) For sites 1500m² or less in area any part of any building (including eaves and guttering) must not be erected closer than 1 metre to a side or rear site boundary.</p> <p>ii) For sites greater than 1500m² in area any part of any building (including eaves and guttering) must not be erected closer than 3 metres to a side or rear site boundary.</p> <ul style="list-style-type: none"> • Provided that: where that where this is the only condition infringement, and the written approval of the adjacent landowner(s) is provided at building consent stage, a resource consent application will not be necessary. <p>iii) Any part of a building (including eaves and guttering), fence, or permanently fixed structure must not be erected closer than 6 metres from the top of the bank of any watercourse or open drain.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The existing streetscape and protection from road frontage domination. - The outlook and privacy of adjacent and adjacent properties. - The effects of shading of adjacent properties. - The effects on amenity values of the neighbourhood. - The effects on the maintenance, use and development of a watercourse or open drain.
<p>37A.12 Height</p> <p>1. The following maximum height conditions shall apply to all land uses, other than aeriels, lines and support structures:</p> <p>a) Any part of a building or structure must not exceed 8 metres in height, except that:</p> <p>i) On a front site or corner site, any part of a building or structure may be erected up to the Streetscape Height determined in accordance with Appendix 8 of this Plan.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The scale and bulk of the building in relation to the site. - The built characteristic of the neighbourhood. - The extent to which the effects of the height can be mitigated by setbacks, planting, design or topography of the site. - The effects on landscape values. - The effects of shading. - The effects on amenity values. - The effects on air traffic safety.

<p>b) Any part of a building, structure or tree must not exceed the Airport height controls shown in Appendix 7.</p> <p>c) Where there is conflict between any of the height control lines or limits above, the lowest height must prevail.</p> <p>d) Where the airport height restriction prevails in accordance with Rule 37A.13.1(c):</p> <p>i) Any application for a building consent must be accompanied by a registered surveyor's certificate verifying that the building plans meet the Airport height controls shown in Appendix 7.</p> <p>ii) Prior to a person requesting a Certificate of Compliance, a registered surveyor's certificate must be supplied, verifying compliance with the Airport height controls shown in Appendix 7.</p> <p>e) Height must be measured using the rolling height method.</p>	
<p>37A.13 Height in Relation to Boundary</p> <p>1. The following height in relation to boundary conditions shall apply to all land uses:</p> <p>a) Any part of any building or structure must not project beyond a building envelope constructed by drawing planes along all parts of all site boundaries. The planes must commence 3.0 metres above ground level at the site boundary and must be inclined to the horizontal at an angle of 45 degrees.</p> <p>b) Provided that:</p> <p>i) The height in relation to boundary condition does not apply to the length of common wall between two or more attached buildings.</p> <p>ii) Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of applying the height in relation to boundary condition.</p> <p>iii) No account will be taken of aerials, lines, support structures, solar heating devices, air conditioning units and similar structures housing electronic or mechanical equipment or chimneys, no more than 1 metre wide in any horizontal direction and less than 2.5 metres in height beyond the building envelope.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The availability of daylight to adjacent properties. - The effects on the privacy of adjacent properties and occupiers. - The effects on amenity values. 
<p>37A.14 Site Coverage</p> <p>1. The following site coverage conditions shall apply to all land uses:</p> <p>a) Site coverage (measured from gross building area) must not exceed;</p> <p>i) 15% of the net site area on sites greater than 1500m²</p> <p>ii) 30% of the net site area on sites 1500m² or less</p> <p>b) Provided that where there is no garage or carport on site, the gross building area must include a notional garage of 18.5m² for each dwelling unit on the site.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The availability of useable private open space on site. - The scale and bulk of the building in relation to the site. - The existing built density of the neighbourhood. - The effect on the open space appearance of the neighbourhood. - The control of stormwater runoff.

<p>37A.15 Landscaped Area</p> <p>1. The following landscaped area conditions shall apply to all land uses:</p> <p>a) All sites must have a landscaped area not less than 40% of the net site area.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The effect on the open space appearance of the neighbourhood. - The control of stormwater runoff. - The effects on amenity values. 										
<p>37A.16 Open Space</p> <p>1. The following open space conditions shall apply to all residential activities:</p> <p>a) Each dwelling unit must have an amount of open space on the building site of not less than 50% of the gross floor area of all buildings on the site, except that a minimum of 50m² per dwelling unit is to be provided.</p> <p>b) Where there is no garage or carport proposed or existing on the site, the gross floor area must include a notional garage of 18.5m² for each dwelling unit on the site.</p> <p>c) The maximum area of open space required to be provided on a building site is 100m² per dwelling unit.</p> <p>d) Provided that:</p> <p>i) Open space may comprise of more than one area.</p> <p>ii) Open space may take the form of a deck or terrace but must be unobstructed by buildings, vehicle parking spaces, or vehicle manoeuvring areas.</p> <p>iii) Open space must be directly accessible from the unit to which it relates.</p> <p>iv) The open space must:</p> <ul style="list-style-type: none"> • Include at least one area capable of containing a 6 metre diameter circle; and • Have a minimum dimension of 3 metres measured at right angles to the perimeter of the area. 	<p>Matters:</p> <ul style="list-style-type: none"> - The effects on privacy and amenity of the occupants on-site. - The effect on the open space appearance of the neighbourhood. 										
<p>37A.17 Noise</p> <p>1. The following noise conditions shall apply to all land uses, other than those exempted in Rule 57.9:</p> <p>a) The following noise limits are not to be exceeded at any point beyond the site boundary, except where expressly provided for elsewhere in this Plan:</p> <table border="0" data-bbox="225 1552 842 1688"> <tr> <td>Control Hours</td> <td>Noise Level</td> </tr> <tr> <td>0700 to 1900 hours</td> <td>55 dB L_{Aeq} (15 min)</td> </tr> <tr> <td>1900 to 2200 hours</td> <td>50 dB L_{Aeq} (15 min)</td> </tr> <tr> <td>2200 to 0700 hours the following day</td> <td>40 dB L_{Aeq} (15 min)</td> </tr> <tr> <td>2200 to 0700 hours the following day</td> <td>70 dB L_{AFmax}</td> </tr> </table> <p>b) All land uses must comply in all respects with the relevant conditions in Chapter 57 (Noise) of this Plan.</p> <p>2. The following acoustic insulation conditions shall apply to all new noise sensitive activities within the State Highway Noise Boundary:</p> <p>a) Where any building used for a noise sensitive activity is to be located within the State Highway Noise Boundary as shown on the planning maps:</p> <p>(i) The habitable room within the noise sensitive activity shall achieve a minimum External Sound Insulation Level of the building envelope of</p>	Control Hours	Noise Level	0700 to 1900 hours	55 dB L _{Aeq} (15 min)	1900 to 2200 hours	50 dB L _{Aeq} (15 min)	2200 to 0700 hours the following day	40 dB L _{Aeq} (15 min)	2200 to 0700 hours the following day	70 dB L _{AFmax}	<p>Matters:</p> <ul style="list-style-type: none"> - The sound level likely to be generated. - The nature and frequency of the noise including any special audible characteristics. - The compatibility within the neighbourhood. - The effects of noise on amenity values. - The length of time for which specified noise levels is exceeded, especially at night. - The likely adverse effects on-site and beyond the site. - The mitigation measures to reduce noise generation. - Matters referred to in Chapter 56 (Noise).
Control Hours	Noise Level										
0700 to 1900 hours	55 dB L _{Aeq} (15 min)										
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2200 to 0700 hours the following day	70 dB L _{AFmax}										

<p>Dtr,2m,nTw + Ctr>30 dB for outside walls of any habitable rooms.</p> <p>(ii) Where it is necessary to have windows closed to achieve the acoustic design requirements, an alternative ventilation system shall be provided. Any such ventilation system shall be designed to satisfy the requirements of the Building Code and achieve a level of no more than NC30 in any habitable room.</p> <p>b) The standard in (a) above does not apply to noise sensitive activities which can comply with the following:</p> <p>(i) The habitable room within the noise sensitive activity is greater than 80 metres from the edge of the nearest traffic lane where the posted speed is at least 70km/hour; or</p> <p>(ii) Noise screening (such as a noise barrier fence) is constructed so that noise levels measured at the location of the building housing the noise sensitive activity in accordance with NZS6801:2008, do not exceed 55 dB L_{Aeq} (24hour) outdoors.</p> <p>c) An acoustic design report must be provided to the Council prior to any building consent being granted or where no building consent is required, prior to the commencement of the use. The acoustic design report must be prepared by a person qualified and experienced in acoustics. The report is to indicate the means by which the noise limits specified in this standard will be complied with and is to contain a certificate by its author that the means given therein will be adequate to ensure compliance with the acoustic design requirements specified in this standard.</p> <p>d) Prior to any person requesting a Certificate of Compliance, an acoustic design certificate prepared by a person qualified and experienced in acoustics must be supplied, verifying compliance with the standards in (a) above.</p>	
<p>37A.18 Light Spill</p> <p>1. The following light spill conditions shall apply to all land uses other than for the purposes of illuminating a road:</p> <p>a) Between the hours of 2200 and 0700 the following day, any outdoor lighting must not cause an added illuminance in excess of 10 lux, measured horizontally or vertically as an average (at any window of a habitable space within a building located on any other site).</p> <p>b) The outdoor lighting must be so selected, located aimed, adjusted, screened and maintained to ensure that glare resulting from the lighting does not cause significant adverse effects on the occupants of residential activities, road users or aircraft.</p> <p>NOTE: Where the measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations which the Council considers is of a similar nature which is not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of the subject lighting. Measurement should be made in clear sky conditions, or should take into account the effect of weather conditions on illuminance.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The orientation, strength, intensity, colour and frequency of any light. - The effects on traffic safety. - The effects on pedestrian safety. - The effects on amenity values. - The effects on the health, safety, security and wellbeing of people.

<p>37A.19 Vibration</p> <p>1. The following vibration conditions shall apply to all land uses:</p> <p>a) Any land use must not generate a vibration that causes an unreasonable adverse effect on any adjacent land use.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The effect on public health and safety. - The effects on the structural integrity of adjacent buildings and facilities. - The effect on amenity values of the residential area
<p>37A.20 Odour and Dust</p> <p>NOTE: The discharge of contaminants (including odour and dust) onto or into air, land or water is regulated by the Hawke's Bay Regional Resource Management Plan and may require resource consent approval. Contact the Hawke's Bay Regional Council for advice.</p>	
<p>37A.21 Fencing</p> <p>1. The following fencing conditions shall apply to all land uses:</p> <p>a) For any fence erected within a front yard the solid portion must not exceed 1.2 metres in height with the remaining portion being of an open nature up to a maximum height of 2 metres.</p> <p>b) Any fence erected within a side or rear yard must not exceed 2 metres in height.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The effects of shading. - The effects on amenity values. - The effects on streetscape. - The effects on public health and safety. - The positive effects of fences to mitigate visual and noise effects of nearby land uses.  <p>The diagram illustrates a fence cross-section. It consists of a solid panel at the bottom and an open trellis or similar effect on top. The solid panel is labeled 'Solid Panel' and has a height of 1.2m. The total height of the fence is 2m. The trellis portion is labeled 'Open trellis or similar effect'.</p>
<p>37A.22 Aerials, Lines and Support Structures</p> <p>1. The following conditions shall apply to all aerials, lines and support structures other than for the purposes of a network utility operation:</p> <p>a) Aerials, lines and/or support structures must not exceed 12 metres in height.</p> <p>b) Dish antenna must not exceed 1.2 metres in diameter.</p> <p>c) Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions:</p> <p>i) The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction.</p> <p>ii) There must be no more than one such structure on the site.</p> <p>a) The aerial, line and/or support structure must comply with the conditions relating to yards in the Rural Conservation Zone condition table.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The effects on amenity values. - The scale in relation to adjacent buildings. - The bulk and form of the aerial, line and/or supporting structures. - The effects of shading. - The extent to which heritage or cultural values are adversely affected. - The cumulative effect of additional aerials, lines and/or support structures. - The prominence of the site taking into account significant public views and any significant landscapes. - The effects on public health and safety. - The effects on air traffic safety.
<p>37A.23 Earthworks</p> <p>1. The relevant provisions of Chapter 52A (Earthworks) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 52A (Earthworks) of this Plan.</p>
<p>37A.24 Heritage</p> <p>1. The relevant provisions of Chapter 56 (Heritage) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 56 (Heritage) of this Plan.</p>

<p>37A.25 Signs</p> <p>1. The relevant provisions of Chapter 58 (Signs) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 58 (Signs) of this Plan.</p>
<p>37A.26 Trees</p> <p>1. The relevant provisions of Chapter 60 (Trees) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 60 (Trees) of this Plan.</p>
<p>37A.27 Transport</p> <p>1. The relevant provisions of Chapter 61 (Transport) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to matters in Chapter 61 (Transport) of this Plan.</p>
<p>37A.28 Natural Hazards</p> <p>1. The relevant provisions of Chapter 62 (Natural Hazards) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 62 (Natural Hazards) of this Plan.</p>
<p>37A.29 Hazardous Substances</p> <p>1. The relevant provisions of Chapter 63 (Hazardous Substances) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 63 (Hazardous Substances) of this Plan.</p>
<p>37A.30 Activities on the Surface of Water</p> <p>1. The relevant provisions of Chapter 62A (Activities on the Surface of Water) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 62A (Activities on the Surface of Water) of this Plan.</p>
<p>37A.31 Contaminated Sites</p> <p>1. The relevant provisions of Chapter 64 (Contaminated Sites) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 64 (Contaminated Sites) of this Plan.</p>
<p>37A.32 Financial Contributions</p> <p>1. The relevant provisions of Chapter 65 (Financial Contributions) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 65 (Financial Contributions) of this Plan.</p>
<p>37A.33 Code of Practice for Subdivision and Land Development</p> <p>1. The relevant provisions of Chapter 66 (Volume II - Code of Practice for Subdivision and Land Development) of this Plan must be complied with.</p> <p>NOTE:</p> <ol style="list-style-type: none"> 1. The following minimum lot size shall apply within this zone: <ol style="list-style-type: none"> a) 2500m² (excludes boundary adjustments and subdivision for a network utility operation). 2. Volume 2 of the Plan contains relevant Objectives, Policies, Rules and other issues associated with the subdivision of land and must be read in conjunction with this provision. 	<p>Matters:</p> <p>Refer to Chapter 66 (Volume II - Code of Practice for Subdivision and Land Development) of this Plan.</p>
<p>37A.34 Development of Land within Structure Plan Areas</p> <p>1. The relevant provisions of any Structure Plan must be complied with. Refer to Appendices 28B and 28C of this Plan.</p>	