

## 7.11 Ecologically significant sites

The islands contain a number of important and distinctive natural features of ecological significance. These are described in the Plan as sites of ecological significance and sensitive areas. Sensitive areas apply to the outer islands only, but sites of ecological significance apply to both the inner and outer islands. At the time of notification of the Plan the ecological values of the outer islands had not been re-evaluated. The areas defined as sensitive areas and sites of ecological significance in the outer islands were therefore carried over from the previous district plan. In areas where the land unit rules are more restrictive than the rules applying to sensitive areas, the sensitive areas have not been carried over.

These sites of ecological significance and sensitive areas make up an important part of the natural heritage and character of the islands, as such the most significant examples require scheduling. The ecological values include indigenous plants, the habitat of indigenous fauna, threatened species and their habitat and the protective functions vegetation may have on habitat, soils, steep land or water. Sensitive areas are the more sensitive parts of the indigenous vegetation outside the sites of ecological significance. They include fragile ecosystems and pockets of mature forest.

The extent and variety of these sites of ecological significance and sensitive areas need to be conserved and their qualities maintained. The importance of protecting ecological values is outlined in section 6(c) of the RMA which, as a matter of national importance, requires the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. In order to ~~fulfill~~ fulfil its role outlined in the RMA the council has identified certain areas as being significant and worthy of protection.

### 7.11.1 Issues

How to ensure that ecologically significant sites, which have been depleted by a variety of land uses, will be adequately protected by the Plan.

### 7.11.2 Objective

To identify, recognise and protect sites of ecological significance and sensitive areas within the islands.

#### Policies

1. By identifying, evaluating and protecting sites of ecological significance and sensitive areas in public and private ownership.
2. By protecting sites of ecological significance and sensitive areas in a manner that retains the value of the scheduled item.
3. By ensuring that land use and development does not result in damage to sites of ecological significance and sensitive areas.
4. By avoiding the loss of threatened or protected species within sites of ecological significance and sensitive areas.

### 7.11.3 Criteria for scheduling sites of ecological significance

The Plan recognises the value of sites of ecological significance as heritage assets and has adopted a system of identifying and protecting them. The sites of ecological significance are listed in **appendix 1d - Schedule of sites of ecological significance - inner islands** and **appendix 2d - Schedule of sites of ecological significance and sensitive areas - outer islands**.

In determining whether sites with ecological values are worthy of recognition and protection as scheduled sites, they have been evaluated against the criteria listed in **appendix 4 - Criteria for scheduling heritage items**.

### 7.11.4 Rules for ecologically significant sites

#### 7.11.4.1 Permitted activities

The following are permitted activities within in a scheduled site of ecological significance or sensitive area:

1. The maintenance and removal of vegetation:
  - 1m either side of lawfully existing accessways
  - 1m either side of existing fencelines
  - 2m around each side of lawfully existing dwellings or buildings.
2. The removal of exotic trees and vegetation.
3. Eradication, control or management of plant pests listed in appendix 14 – Plant pest species.
4. The regular minor trimming or the maintenance of any tree undertaken by hand operated secateurs or pruning shears, in accordance with accepted arboricultural practice.
5. Restoration plantings and their management, using ecosourced plants where available and placed according to accepted ecological practice. Plantings must be in parts of the scheduled ecological area where there is sufficient capacity and must not endanger, damage, destroy or detract from the values for which the area has been scheduled.
6. Other minor works, including the routine maintenance and repair of existing lawns, gardens, accessways, roads, structures and signage, that would not endanger, damage, destroy or detract from the values for which the area has been scheduled.

#### **~~7.11.4.1~~ Restricted discretionary activities**

~~Where a site is wholly contained in any site of ecological significance or sensitive area; or where a site is partially contained in a site of ecological significance or sensitive area to the extent that less than 1000m<sup>2</sup> of land is available for land use activities outside the site of ecological significance or sensitive area then:~~

~~Clearance or modification of vegetation to provide a building platform, effluent disposal system and accessway is a restricted discretionary activity. Unless provided for as a permitted activity.~~

##### **~~Matters of discretion~~**

~~The council has restricted its discretion to considering the following matters:~~

- ~~1. The location and extent of the building platform.~~
- ~~2. The location, type, length and width of accessway. Note: control over the type of accessway may extend to requiring bridges. Where an accessway is not considered suitable the council may require the applicant to provide a roadside parking platform rather than an accessway.~~
- ~~3. The location and type of effluent disposal system.~~

~~See clause 7.6 for notification requirements for restricted discretionary activities.~~

#### **7.11.4.2 Restricted Discretionary activities**

The following are **restricted** discretionary activities:

1. Any proposal to cut, damage, alter or destroy any indigenous **tree or** plant (including its roots) within a scheduled site of ecological significance or sensitive area. **Except where provided for as a permitted activity above.**
2. Any works within the dripline of any tree or lower canopy plant within a scheduled site of ecological significance or sensitive area. **Except where provided for as a permitted activity above.**

#### **7.11.5 Assessment criteria **Matters of discretion** for **restricted** discretionary activities**

~~The council's **has restricted its discretion to considering the following matters: assessment of an application for a discretionary activity will include consideration of the following matters:**~~

1. The extent to which the proposed activity is consistent with the relevant objectives and policies.
2. Whether proposed activity will adversely affect the values for which the site of ecological significance or sensitive area has been protected.

3. The extent to which the nature, extent, timing and method of modification or destruction will adversely affect the site of ecological significance, or sensitive area.
4. Whether the proposed activity adversely affects the biodiversity values of adjacent terrestrial, freshwater or saline environments.
5. Whether the proposed activity adversely affects water quality, or slope stability.
6. The extent to which modification or destruction of the site of ecological significance or sensitive area is likely to have an adverse effect on its natural character.
7. Whether the proposed activity results in better stewardship of the ecological resource.
8. The ecological significance of the particular area the works or activity are proposed to be undertaken within.