

- (b) Clearance of exotic species subject to no native trees greater than 6m in height being felled for access.
- (c) Planting and management of indigenous vegetation, restoration, perimeter fencing, and any plant or animal pest control measures.
- (d) Activities on reserves as provided for in the Reserves Act 1977 and the Conservation Act 1987.
- (e) Trimming or pruning of any native tree, bush or plant if it becomes a hazard or infringes onto an area used for primary production so long as it will not result in the death, destruction or irreparable damage of the tree, bush or plant.
- (f) *Maintenance* of existing tracks, walkways and fences.
- (g) All activities that would otherwise be permitted by the District Plan shall be permitted where evidence is provided to the satisfaction of Council that demonstrates that an area(s) (or part of an area) identified on the District Planning Maps as an ecological feature does not contain any ecological values and has not contained the ecological values since 1994.

5.4.2 Restricted Discretionary Activities

- (a) Native vegetation removal, destruction or clearance (including logging and burning).
- (b) *Earthworks.*
- (c) Infilling (including dumping), drainage or piping of *wetlands*.
- (d) Planting of exotic species.
- (e) Visitor and outdoor recreational facilities and activities.
- (f) *Educational facilities.*
- (g) *Accommodation facilities* associated with (e) or (f) above.
- (h) *Dwellings* and *accessory buildings* including *minor dwellings* and accessory dwellings.
- (i) *Home enterprises.*
- (j) Subdivision.
- (k) Minerals exploration, mining and *quarrying*.

- (l) Works and *network utilities* as provided for in Section 10.

5.4.3 Prohibited Activities

- (a) *Places of assembly* not covered in 5.4.2.
- (b) *Accommodation facilities* not covered in 5.4.2.
- (c) *Production forestry* not covered in 5.4.2.
- (d) *Rural contractors depots.*
- (e) *Kennels, catteries.*
- (f) *Intensive farming.*
- (g) *Rural selling places.*
- (h) *Animal saleyards.*
- (i) Coolstores/packhouses.
- (j) Dumping of rubbish or garden waste.
- (k) Planting or introduction of pest plant and animal species.

5.5 Information Requirements

Any application must be accompanied by an Assessment of Environmental Effects (AEE). The degree of detail of the AEE should reflect the nature and effect of the proposal on the Identified Significant Ecological Feature. The AEE of proposed activities must take account of the values of the feature and its vulnerability. The AEE shall contain the following information:

- (a) A plan of the property subject of the application indicating the location and dimensions of areas to be affected by the proposed works (must include the extent of any excavation, fill, water flow, water table and vegetation clearance impacts where relevant).
- (b) The location of existing and proposed *buildings* and activities in relation to the ecological feature and how the development proposal will serve to protect and enhance the feature.
- (c) An assessment of the impact of the proposal on natural habitats and ecological values of the locality and how they will be avoided, remedied or mitigated and managed for protection (including *wetland* and riparian impacts). Depending on the effects of the proposal, assessment may be required from a suitably qualified person.

- (d) Details of an appropriate rehabilitation programme or other mitigation measures for the area to be subject to the proposed activities. Again this may need to be from a suitably qualified person depending on the nature of the effect and mitigation required.

Explanatory Note (not a rule)

There is a requirement under Part III of the Forests Act 1949 to consult with the Indigenous Forest Unit of the Ministry for Primary Industries before felling any indigenous forest on private land.

- (e) The location and extent of any archaeological, cultural and historic sites within any allotment subject to the application and how they will be affected by the proposal.
- (f) The likely impact of the proposal on natural landforms in terms of potential for subsidence or erosion (including stream banks).
- (g) The time period over which the work will take place.
- (h) The likely impact of noise generated from *construction* activity, the facilities and/or activities on natural habitats and ecosystems (including noise generated from modes of transport and/or recreation equipment, and including levels, times, and durations).

5.6 Matters of Discretion

5.6.1 Assessment criteria for Restricted Discretionary Activities

In considering an application for a Restricted Discretionary Activity *Council* is restricted to the following assessment criteria. These criteria can be used as a guide for Discretionary and Non Complying Activities.

- (a) The scale and intensity of the activity shall be tailored to ensure the sustainability of natural habitats and ecosystems associated with the site.
- (b) All existing native vegetation shall be retained except where removal is unavoidable for the following reasons:
- (i) to create a *building* platform;
 - (ii) for access and parking;
 - (iii) for the purposes of the proposed activity.

In this case mitigation should be provided to compensate for the loss of this vegetation where deemed appropriate.

- (c) Any native vegetation removal must not adversely affect the functioning and sustainability of natural habitats and ecosystems.