

5.3 CONSERVATION (WETLAND) ZONE

5.3.1 ZONE PURPOSE

- (1) The purpose of the Conservation (Wetland) Zone is one of conservation, protection and enhancement (including values of importance to tangata whenua) of the wetland complex comprising the Kopuatai Peat Dome (and the mineralised wetlands adjoining and near to the western boundary of the Dome) and the Torehape Peat Dome. The wetland complex covers an area of over 10,000 hectares and extends into the adjoining Matamata-Piako District. The Conservation (Wetland) Zone only applies to those parts of the complex within public ownership and does not encompass all of the Department of Conservation land.
- (2) The Kopuatai Peat Dome is the most intact peat dome/restiad bog in the southern hemisphere. It is also the largest remaining freshwater wetland in the North Island. Kopuatai is of special value for maintaining the genetic and ecological diversity of the Waikato region. It supports a number of plant and animal species that are endemic to New Zealand, notably the greater jointed rush and black mudfish. A number of indigenous vegetation types contained within the Kopuatai wetland are nationally and regionally priority threatened flora and fauna, some of which are listed as National Critical. Contributing to this threat status is the change in vegetation composition from indigenous vegetation communities to communities dominated by introduced species.
- (3) The Kopuatai Peat Dome is listed as a wetland of international importance under the Ramsar Convention, especially as a waterfowl habitat. The Ramsar convention was prepared by the International Union for the Conservation of Nature and Natural Resources (IUCN) and is an agreement that signatory governments (which include New Zealand) will comply with the content of the Convention. The Convention establishes criteria for identifying natural resources of international importance, including wetlands. The IUCN is a United Nations body. The Kopuatai Peat Dome is a Government Purposes (Wetland Management) Reserve administered by the Department of Conservation. The following areas also have the same reserve status and adjoin the Kopuatai reserve:
 - Patetonga Lake
 - Patterson's Lagoon
 - Flax Block
- (4) The Kopuatai wetland complex is also an essential natural component of the flood control measures which separate, control and help drain, the Piako and Waihou river systems within the District. The elevation of the peat (and therefore its effectiveness in flood prevention) is dependant upon its water content.
- (5) The Torehape Peat Dome is located a short distance to the north west of the Kopuatai reserve. This is a remnant peat dome of some 650 hectares in area and is also administered by the Department of Conservation as a Government Purposes (Wildlife Management) Reserve. It is an area significant for several rare or threatened plant and animal species.
- (6) The Torehape Peat Dome has been extensively modified by grazing and drainage carried out during the last century. The surrounding areas have been drained and converted to pasture

with a consequential lowering of the ground level resulting in a partial drying out of the conservation area of the dome. Threats to this wetland include drainage, nuisance plant infestations and peat mining on the margins of the wetland.

- (7) Because of the zone's natural hydrological function and high significance as a natural habitat for both wildlife and flora, as well as being of scientific interest and of recreational value, the purpose of the zone is to generally maintain the land in its present condition and not allow development within these wetland areas which would reduce the water content, or remove the peat.

5.3.2 OBJECTIVES AND POLICIES

(1) OBJECTIVE 1

To preserve, protect and enhance the biological diversity and the outstanding natural character values of the wetlands in the zone.

(2) OBJECTIVE 2

To maintain the flood control functions of the wetlands.

(3) OBJECTIVE 3

To recognise the educational, economic and scientific role and the historic, cultural and amenity values of the wetlands.

(a) Policies

Objectives 1 - 3 will be achieved by the implementation of the following policies:

- (i) Recognise in the administration of the zone, the protection of botanical and wildlife values, the natural character and flood control functions of the area.
- (ii) Maintain and manage the existing indigenous vegetation cover including areas of regenerating indigenous vegetation.
- (iii) Maintain and control ground levels.

(4) OBJECTIVE 4

To enable recreational use of the wetlands to the extent compatible with the other objectives of the zone, the wetland's legal status, and the amenities of the area beyond the zone boundary.

(a) Policies

Objective 4 will be achieved by the implementation of the following policies:

- (i) Recognise that the Department of Conservation may carry out emergency, conservation protection, enhancement, and other works associated with the recreational values of the zone.

- (ii) Avoid, remedy or mitigate the significant adverse effects of activities on adjacent land uses.

(b) Reasons for all Objectives and Policies

- (i) The principal reasons for the adoption of the Objectives and Policies for the Conservation (Wetland) Zone are set out in the anticipated Environmental Result. The role of the Department of Conservation as manager of all land in the zone has been recognised. Council wishes to retain the ability to manage activities which may have effects beyond the boundaries of the zone regardless of whether such activities are undertaken by the Department of Conservation or some other agency. The nature and range of permitted activities is restricted. The rules of the zone apply to all parties, including the Department of Conservation.
- (ii) The conservation and flood management values of the zone are set out in Objectives 1 - 3 above in particular. Critical to the maintenance and enhancement of such values are the retention of indigenous vegetation cover and the maintenance of present ground levels. Accordingly, any activity involving the clearance of indigenous vegetation cover or which may change present ground levels is strictly controlled.
- (iii) It is understood that the Department of Conservation wishes to adhere to the District Plan notwithstanding that the department may, in certain circumstances, not be bound by the rules of the District Plan (refer Section 4 RMA).

5.3.3 ENVIRONMENTAL RESULTS

- (1) The expected environmental result of the zone is one of conservation and protection of the wetland complex in its natural state as a matter of national importance. The zoning recognises the importance of the wetland complex as a wildlife habitat of international significance, its conservation value in terms of being the largest lowland peat bog which still remains in New Zealand and which still retains its original vegetation, and its natural hydrological function in the flood management of the catchment. The maintenance of the indigenous vegetation cover and ground surface levels are essential components of the anticipated environmental result of the zone.
- (2) Whilst this outcome is for the most part met through the Crown's ownership and legal status of the land under the management of the Department of Conservation, the zoning is a means of bringing the management of the wetlands within the provisions of the District Plan and of informing the public of the important ecological and hydrological functions of this area.

5.3.4 ACTIVITY STATUS

Activities and their *accessory uses*, and *buildings* (unless otherwise stated) are *Permitted*, *Controlled*, *Restricted Discretionary*, *Discretionary*, *Non Complying* or *Prohibited* according to the Activity Status Table below:

Note: Any works/activities undertaken on Department of Conservation land also require prior approval from the Waikato Conservancy (eg. maimai construction, excavation works).

5.3.4.1 PERMITTED ACTIVITIES

Those activities listed below are a *Permitted Activity*, unless otherwise specified and subject to compliance with the:

- Zone Development Standards specified in Rule 5.3.5.
- Activity Specific Standards specified in Rule 5.3.6;
- Conservation and Heritage provisions in Section 6.0;
- Specific and District Wide provisions in Section 7.0; and
- District Wide Performance Standards in Section 8.0.

P1	<i>MANAGEMENT ACTIVITIES</i> AND PEAT MINING CARRIED OUT BY, OR ON BEHALF OF THE DEPARTMENT OF CONSERVATION FOR ONE OR MORE OF THE FOLLOWING PURPOSES: (a) PROTECTION OR ENHANCEMENT OF ECOLOGICAL, HISTORIC, SOIL AND WATER, LANDSCAPE, RECREATIONAL OR <i>AMENITY VALUES</i> OF THE ZONE
P2	THE CONSTRUCTION, MAINTENANCE AND USE OF MAIMAI ON LICENSED SITES FOR DUCK SHOOTING, PROVIDED THERE IS NO DISTURBANCE OF PRESENT <i>GROUND LEVELS</i> , OR DISTURBANCE OF <i>INDIGENOUS</i> OR <i>EXOTIC VEGETATION COVER</i> (EXCLUDING PASTURE) OR DISTURBANCE OF WATER LEVELS
P3	EXCAVATIONS AND MINOR WORKS TO MAINTAIN PONDS FOR DUCK SHOOTING, PROVIDED THERE IS NO DISTURBANCE OF PRESENT <i>GROUND LEVELS</i> , OR DISTURBANCE OF <i>INDIGENOUS</i> OR <i>EXOTIC VEGETATION COVER</i> (EXCLUDING PASTURE) OR DISTURBANCE OF WATER LEVELS
P4	<i>TEMPORARY USES AND BUILDINGS</i> (MEETING PART (d) OF THE DEFINITION).

5.3.4.2 CONTROLLED ACTIVITIES

Those activities listed below are a *Controlled Activity* unless otherwise stated and subject to compliance with the:

- Zone Development Standards specified in Rule 5.3.5
- Activity Specific Standards specified in Rule 5.3.6;
- Conservation and Heritage provisions in Section 6.0
- Specific and District Wide provisions in Section 7.0; and
- District Wide Performance Standards in Section 8.0.

Conditions may be imposed in relation to the matters over which control has been reserved, as specified below.

THERE ARE NO <i>CONTROLLED ACTIVITIES</i>

5.3.4.3 RESTRICTED DISCRETIONARY ACTIVITIES

Those activities listed below are a *Restricted Discretionary Activity* subject to compliance with the:

- Conservation and Heritage provisions in Section 6.0;
- Specific and District Wide provisions in Section 7.0; and
- District Wide Performance Standards in Section 8.0.

The matters over which the *Council* has restricted its discretion are specified for each *Restricted Discretionary Activity* listed below.

THERE ARE NO *RESTRICTED DISCRETIONARY ACTIVITIES*

5.3.4.4 DISCRETIONARY ACTIVITIES

Those activities listed below are a *Discretionary Activity* and shall be assessed against the relevant criteria in Rule 5.3.7.

Note: The Conservation and Heritage provisions in Section 6.0 and the Specific and District Wide provisions in Section 7.0 also apply and may alter the *Discretionary Activity* status for the activities specified below or require additional resource consents.

D1 ANY *MANAGEMENT ACTIVITIES* CARRIED OUT BY OR ON BEHALF OF THE DEPARTMENT OF CONSERVATION WHICH ARE NOT PROVIDED FOR AS A *PERMITTED ACTIVITY*

5.3.4.5 NON COMPLYING ACTIVITIES

Those activities listed below are a *Non Complying Activity*.

NC1 ANY ACTIVITY NOT PROVIDED AS A *PERMITTED, CONTROLLED, RESTRICTED DISCRETIONARY, DISCRETIONARY OR PROHIBITED ACTIVITY*

5.3.4.6 PROHIBITED ACTIVITIES

Those activities listed below are a *Prohibited Activity*.

PR1 *UNDERGROUND MINING, SURFACE MINING AND MINING OPERATIONS, OTHER THAN PEAT MINING PROVIDED FOR IN 5.3.4.1 P1*

5.3.5 ZONE DEVELOPMENT STANDARDS

- (1) There are no *Zone Development Standards* for this Zone.

5.3.6 ACTIVITY SPECIFIC STANDARDS

- (1) There are no Activity Specific Standards for this Zone.

5.3.7 ASSESSMENT CRITERIA FOR DISCRETIONARY ACTIVITIES

- (1) When assessing any application for a *Discretionary Activity*, Council shall have regard to the relevant assessment criteria below, and any other matters it considers appropriate.
- (a) The effects of the activity on the indigenous flora and fauna of the locality and *zone*.
 - (b) Whether the proposed activity will have a beneficial effect on the management of the wetland ecosystem.
 - (c) The effects of the activity on the hydrological function of the *zone*.
 - (d) The effects of the activity particularly with regard to the generation of noise, dust, fumes, smoke or odours which may be noxious, dangerous or offensive to persons undertaking recreational, scientific, educational or cultural activities in the *zone* or may affect properties outside the *zone*.