

APPENDIX E

The Resource Management Act 1991 (RMA)

Ultimately the RMA sets out the parameters determining landscape outcomes for the Project resource consent application. The RMA aims to ensure the effects of an activity on the landscape are considered and weighed as part of the overall decision as to what activities should be allowed.

The RMA provides for a hierarchy of resource management policy statements and plans related to the three levels of government – central, regional and district.

The RMA, and the various statutory documents that implement it (such as the WCRPS and the BDP, proposed TTPP), seek the avoidance, remediation and mitigation of all adverse effects, including adverse effects on the landscape where it is feasible to do so.

Pertinent landscape matters are to be found in the following Part II sections of the Act:

- Section 5: Purpose
- Section 6: Matters of National Importance
- Section 7: Other matters

In essence, the RPS, the operative BDP and proposed TTPP are required to give effect to the following key provisions of the Act:

Section 6(a) concerning the requirement to recognise and provide for the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development.

Section 6(b) concerning the requirement to recognise and provide for the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.

Section 7(c) requiring that regard is had to the maintenance and enhancement of amenity values (as defined in the Act).

Section 7(f) which requires that regard is had to the maintenance and enhancement of the quality of the environment.

The Project is not identified by either the BDP or TTPP within the coastal environment with reference to the DP legends or with reference to the definition of

coastal environment¹. Wetlands are however identified on the plateaux. The bulk of the Project lies outside the ONLs except with regard to MFS, which intrudes marginally over the ridgeline of the ONL50 boundary refer GA, Page 47 and ESE, which appears to intrude over the ONL49, refer GA, Page 70. These encroachments are addressed at section 8.2

West Coast Te Tai o Poutini Conservation Management Strategy (CMS) 2010-2020

Public conservation lands on the West Coast Te Tai o Poutini are valued for the intrinsic qualities of their natural heritage (such as natural landscapes, landforms, geology, water bodies and indigenous biodiversity) as well as their historical and cultural heritage and the wide range of recreational opportunities they provide. Under the Conservation Act 1987, and other legislation administered by the Department of Conservation (DOC), management of all public conservation lands should protect and preserve these values.

The DOC issues concessions under the Conservation Act, or access arrangements under the Crown Minerals Act in the case of mining, for activities to occur. While this includes consideration of environmental effects under the Conservation Act, regional and district council functions under the RMA still apply on public conservation land.

The CMS sets out the DOC's proposed intentions for the integrated management of natural and physical resources located within the West Coast *Tai Poutini* Conservancy over the period 2010-2020. The CMS does not isolate "landscape" into a single chapter of objectives/policies. Instead, landscape is:

- Embedded across multiple sections, and
- Expressed through natural character, scenic, ecological, and cultural provisions.

The relevant landscape objectives and policies include:

Section 2.3 (Natural Heritage Values) – Natural Character and Landscapes

Objective: Maintain and protect the natural character of public conservation lands and waters, ensuring landscapes remain largely unmodified.

Policy 3.1.1 – Protection of natural character in all management activities

Policy 3.1.2 – Avoiding adverse effects on natural landscapes

Section 2.3 – Landscapes and Landforms

Objective: Recognise and protect outstanding natural landscapes and features from inappropriate use or development.

¹ Northland Regional Planning Authority v Whangarei County Council 1977 A4828 (PT) What constitutes the coastal environment will vary from place to place and according to the position from which a place is viewed. Where there are hills behind the coast, it will generally extend up to the dominant ridge behind the coast.

Policy 3.1.3 – Identification and protection of outstanding natural landscapes and features

Appendix 2 (Natural Heritage Areas Schedule) – listing landscape values and areas of significance

Section 2.2 – Land and Water Classification (Wilderness Areas)

Objective: Preserve wilderness, backcountry, and remote landscapes free from modern intrusion.

Policy 3.2.1 – Protection of wilderness character

Policy 3.2.2 – Restriction of development in remote areas

Section 2.3 – Geology, Landforms and Soils

Objective: Conserve significant landforms, geological features, and dynamic processes shaping landscapes.

Policy 3.1.4 – Protection of significant geological features and landforms

Policy 3.1.5 – Allowing natural processes to continue shaping landforms

Section 2.3 – Natural Heritage (Ecosystem and geomorphic processes)

Objective: Allow natural processes (e.g., river movement, erosion, glacial retreat) to shape landscapes where appropriate.

Policy 3.1.5 – Natural processes and dynamic landscape change

Part 3 – General Policies for Public Conservation Land Use

Objective: Ensure all concessions, developments, and management actions consider landscape impacts.

Policy 3.4.1 – Assessment of effects on natural character and landscape values

Policy 3.4.2 – Avoid, remedy, or mitigate adverse landscape effects from activities

Section 2.4 – Recreational and Tourism Values

Objective: Maintain scenic quality and visual amenity for recreational users.

Policy 3.3.1 – Protection of visitor experience, including scenic landscapes

Policy 3.3.3 – Managing structures and facilities to avoid visual intrusion

Section 2.1 – Treaty of Waitangi / Ngāi Tahu Relationships

Objective: Recognise and protect landscapes of cultural, spiritual, and historical significance.

Policy 3.5.1 – Incorporation of Ngāi Tahu values into land and landscape management

Policy 3.5.2 – Protection of wāhi tūpuna and culturally significant landscapes

For the purposes of the CMS, the entire West Coast *Tai Poutini* Conservancy has been divided into seven land-based Places and one marine Place. The Project area and its extension lie within the Kawatiri Place, which covers the area on Map 8 in the CMS (refer GA, Sheet 06). The ESE and part of MFS will lie within the Buller Coal

Plateaux 'Priority Sites for Biodiversity Management', which also encompasses several 'Actively Managed Historic Sites' on the Denniston Plateau.

According to the CMS (4.2.2.2) Kawatiri is one of the more geologically complex parts of the Conservancy, with its great diversity of landforms and varied landscapes. The CMS sets out 'desired outcomes' for Kawatiri Place and relevant landscape-related ones include:

- The overall character of geodiversity, landforms and landscapes in Kawatiri Place is maintained in its 2010 condition.
- Outside the Karamea Bluffs, Mokihinui, Buller Coal Plateaux, Granity Wetland Complex and Cape Foulwind, the priority sites natural values are maintained to at least the same condition they were in, as at 2010.
- Weed invasion into public conservation lands from adjacent weed sources is prevented and human activities within public conservation lands do not contribute to the spread or introduction of invasive weeds or animal pests.

West Coast Regional Policy Statement 2020 (RPS)

The RPS is the key document for identifying issues related to the development, use and protection of natural and physical resources on the West Coast and establishing a management framework for dealing with them. Essentially, the RPS seeks to ensure relevant regional and district plans, management plans and resource consents achieve the purpose of the RMA (Section 5).

The RPS identifies the significant resource management issues for the West Coast related to landscape matters, as the use and development of resources, ecosystems and indigenous biological diversity, natural character, natural landscapes and features and the coastal environment.

Chapter 5 is of key relevance.

Chapter 5. Use and Development of Resources

Chapter 5 sets out the issues, objectives and policies relating to the sustainable management of natural and physical resources acknowledging the role and continued practise of traditional mining on the West Coast as one of the three mainstays of the economy.

The significant issues in relation to the use and development or resources on the west coast are:

1. Recognising the central role of resource use and development on the West Coast.
2. Managing the conflicts arising from the use, development and protection of natural and physical resources.

This arises because a significant proportion of land on the West Coast is public land administered by the Department of Conservation (DOC) where conflicts between mining and tourism growth may occur. Where these situations take place on public conservation land they will be managed through regional and district plans and the Conservation Management Strategy.

Objectives

1. To recognise the role of resource use and development on the West Coast and its contribution to enabling people and communities to provide for their social, economic and cultural wellbeing.
2. Incompatible use and development of natural and physical resources are managed to avoid or minimise conflict.

Policies

Enabling sustainable resource use and development on the West Coast to contribute to the economic, social and cultural wellbeing of the region's people and communities.

Chapter 7. Ecosystems and indigenous biological diversity

Chapter 7 sets out the issues, objectives and policies relating to biodiversity, natural character and natural landscapes and features.

Issues

1. Activities which contribute to people's wellbeing may adversely affect indigenous biological diversity.
2. In the context of extensive indigenous vegetation and habitats, much of which is on land managed by the Department of Conservation, an integrated management approach is required.

Chapter 7A Natural Character

OBJECTIVES

1. Protect the natural character of the region's wetlands, and lakes and rivers and their margins, from inappropriate subdivision, use and development.
2. Provide for appropriate subdivision, use and development to enable people and communities to maintain or enhance their economic, social and cultural wellbeing.

POLICIES

1. Use regionally consistent criteria to identify the elements, patterns, processes and qualities of the natural character of wetlands, and lakes and rivers and their margins.

2. Protect the elements, patterns, processes and qualities that together contribute to the natural character of wetlands, and lakes and rivers and their margins from inappropriate subdivision, use and development.
3. When determining if an activity is appropriate, the following matters must be considered:
 - a) The degree and significance of actual or potential adverse effects on the elements, patterns, processes and qualities that contribute to natural character;
 - b) The value, importance or significance of the natural character at the local, or regional level;
 - c) The degree of naturalness;
 - d) The potential for cumulative effects to diminish natural character, and the efficacy of measures proposed to avoid, remedy or mitigate such effects; and
 - e) The vulnerability of the natural character to change, and its capacity to accommodate change, without compromising its values.
4. Allow activities which have no more than minor adverse effects on natural character.

The key issue relating to natural character is:

Activities which contribute to people's wellbeing may adversely affect the natural character of the region's wetlands, and lakes and rivers and their margins.

The West Coast Regional Land and Water Plan, May 2014 identifies Schedule 2 Wetlands on the Buller Plateaux as Denniston Plateau NGAP051 – 143, Repo Stream NGAP052 – 143 and Stockton Ribbon NGAP053 - 144

The anticipated environmental results are:

1. Preservation of the natural character of wetlands, and lakes and rivers and their margins.
2. Appropriate subdivision, use and development is able to occur.

Chapter 7B Natural features and landscapes

OBJECTIVES

1. Protect the region's outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development.
2. Provide for appropriate subdivision, use and development on, in or adjacent to outstanding natural features and outstanding natural landscapes to enable people and communities to maintain or enhance their economic, social and cultural wellbeing.

POLICIES

1. Use regionally consistent criteria to identify outstanding natural features and outstanding natural landscapes.

2. Protect the values which together contribute to a natural feature or landscape being outstanding, from inappropriate subdivision, use and development.
3. When determining if an activity is appropriate, the following matters must be considered:
 - a) Whether the activity will cause the loss of those values that contribute to making the natural feature or landscape outstanding;
 - b) The extent to which the outstanding natural feature or landscape will be modified or damaged including the duration, frequency, magnitude or scale of any effect;
 - c) The irreversibility of any adverse effects on the values that contribute to making the natural feature or landscape outstanding;
 - d) The resilience of the outstanding natural feature or landscape to change;
 - e) Whether the activity will lead to cumulative adverse effects on the outstanding natural feature or landscape;

The key issue relating to Natural Landscapes and Features is:

1. Activities which contribute to people's wellbeing may adversely affect outstanding natural features and outstanding natural landscapes.

The Project is not proposed within any areas identified as ONFLs by the District Plans although parts of the Buller Plateaux adjoin ONLs identified on the TTPP planning maps and marginal encroachments appear to occur to the boundary of ONL50 by MFS and ONL49 by ESE Project sub-areas. Refer GA, Pages 47 and 70.

West Coast Regional Land and Water Plan (RLWP) 2014

The Regional Land and Water Plan promotes the sustainable management of the West Coast's natural and physical resources as they apply in the context of land and water by applying rules and conditions to various activities. These resources include the Region's lakes, rivers, groundwater, and wetlands.

In terms of landscape provisions, the RLWP provides a clear directive to:

Protect

Outstanding Natural Landscapes and Features

Areas of high natural character

Wetlands, rivers and their margins

Avoid

Significant adverse effects on natural character

Adverse effects on ONLs/ONFs

Manage effects

Design and locate structures to minimise visual effects

Control earthworks and modifications to landform

Recognise landscape attributes

Naturalness

Legibility and coherence

Aesthetic and experiential values

The RLWP aligns closely with RMA section 6 a and establishes a strong directive framework requiring avoidance (not just mitigation) in high-value landscapes and protection of both physical and perceptual landscape attributes

The West Coast Regional Land and Water Plan, May 2014 identifies Schedule 2 Wetlands on the Buller Plateaux as Denniston Plateau NGAP051 – 143.

Wetlands in Schedule 2 either are, or are likely to be, ecologically significant. Specified activities within Schedule 2 wetlands are discretionary activities and also require a resource consent.

The rules apply to the Project sub-areas including the Upper Waimangaroa Haul Road (UWHR) located along the Waimangaroa River in proximity to identified rivers and wetlands on the Buller Plateaux.

In terms of wetlands, the key landscape related objective and policies include:

6.2 Objective 6.2.1. To recognise and provide for the protection of the natural character, indigenous biodiversity and other values of wetlands in the region.

6.3 Policies

6.3.2 To recognise the significant wetlands in Schedule 2 that are shown to meet any one of the ecological criteria in Schedule 3, and to identify and protect their values by controlling activities in those wetlands and their margins to ensure their natural character and ecosystems (including ecosystem functions and habitats) are sustained.

6.3.4 To provide protection for any wetlands not in Schedule 1 or 2 that are shown to meet any one of the ecological criteria in Schedule 3, and to identify and protect the values of those wetlands and their margins to ensure their natural character and ecosystems (including ecosystem functions and habitats) are sustained.

6.3.5 To recognise and provide for the protection of wetlands by promoting the maintenance and enhancement of the natural values of all wetlands in the region and by managing adverse effects of activities on the values present, including natural character, ecosystems (including ecosystem functions and habitats), aesthetic values or amenity values.

The operative Buller District Plan (BDP)

The Project is entirely located within the Rural Zone in the BDP. The provisions of the BDP most relevant to landscape and visual amenity are outlined below under Part 4, Significant Resource Management Issues, Objectives and Policies.

4.4 Rural Land and Water Resource

Objective 4.4.4.1 To ensure that the overall integrity and character of the rural environment and productivity of rural land resources is protected while enabling rural communities to provide for their social, economic and cultural wellbeing.

Policy 4.4.5.2 Sustainable land management practices which maintain and/or enhance the productive values of soils and amenities and character of the rural area shall be encouraged and promoted.

Policy 4.4.14.7 To protect and enhance riparian margins adjacent to rivers, streams, lakes, wetlands and the coast for the purposes of:

- i. Maintenance of the natural character of waterways, natural habitats and water quality including the mitigation of adverse effects of contaminant discharges and other natural and aesthetic and amenity values associated with the adjacent waterway.
- ii. Public recreation.
- iii. Public access.

4.5 Mineral Resources

Objective 4.5.4.1 To enable people and communities to provide for their economic and social wellbeing through the efficient utilisation and development of mineral resources.

Objective 4.5.4.2 To safeguard the life supporting capacity of air, water, soil and ecosystems and avoid, remedy or mitigate adverse effects from the use and development of mineral resources.

Policy 4.5.5.1 The adverse effects of activities related to the utilisation of mineral resources shall be avoided, remedied or mitigated.

Policy 4.5.5.2 The rehabilitation of mining sites shall be required where practicable.

Intended Environmental Outcomes

4.5.8.1 Maintenance and protection of environmental quality in the long-term on mineral extraction sites.

4.5.8.2 Utilisation of mineral resources in a way which avoids, remedies or mitigates significant adverse effects on natural character, outstanding landscapes and natural features, significant indigenous vegetation, significant habitats of indigenous fauna and the life supporting capacity of ecosystems.

4.5.8.3 Rehabilitation of mined areas to standards, which take into account what is practically achievable, desired by the community and environmentally appropriate.

Ecosystems and Natural Habitats

Objective 4.8.6.1 To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and to recognise their importance to the character and quality of the natural and physical environment and to the wellbeing of the people and communities in Buller.

Policy 4.8.7.2 The protection and enhancement of the natural values of wetlands, estuarine habitats, whitebait spawning areas, significant indigenous vegetation and significant habitats of indigenous fauna shall be encouraged.

The proposed Te Tai o Poutini Plan (TTPP) Decisions Version

Under the proposed TTPP, the Project sub-areas are shown on planning maps 19 and 23 as being located within the Special Purpose Zone - Buller Coalfield Zone (BCZ) and the General Rural Zone (GRUZ), however part of the Project will also be located in the Open Space Zone.

The Project sub-areas in places will also adjoin and marginally intrude into the Outstanding Natural Landscape (**ONL**) overlays (ONL41 Te Paparoa/Paparoa Range east & Mt William Range, ONL49 Orikākā River Valley, ONL50 Denniston-Waimangaroa and ONL51 Ngākawau River Valley)²

The objectives and policies of relevance include:

Part 2 – District Wide Matters Strategic Direction – Mineral Extraction

MIN – O1: The use and development of Te [Tai o Poutini](#)/the West Coast's [mineral](#) resources while managing adverse effects on the [environment](#).

MIN-P1: Enable [mineral extraction](#) and ancillary activities which support it, specifically through a Buller Coalfield Zone, and Mineral Extraction Zone, and provide for these activities in appropriate locations within the Rural Zones and Open Space Zones.

MIN - P2: Recognise that [mineral](#) resources are widespread but fixed in location throughout Te [Tai o Poutini](#)/the West Coast and that extraction of them in a range of locations outside specified zones may be appropriate and provide economic and social benefits to the region and nationally, provided adverse effects can be appropriately managed.

² Te Tai o Poutini Plan, Part 4 Appendices – Te Wāhanga 4 – Ngā Apititanga / Schedules: Ngā Rārangi / Schedule 5: Outstanding Natural Landscapes.

MIN – P5: Avoid, remedy or mitigate the adverse effects of [mineral extraction](#) activities on Te [Tai o Poutini](#)/the West Coast's [environment](#).

Part 2 – District Wide Matters Strategic Direction – Natural Environment

NENV – O1: Recognise, protect and where necessary restore the natural character, outstanding landscapes and features, significant ecosystems and [indigenous biodiversity](#) that contribute to Te [Tai o Poutini](#)/the West Coast's character and identity.

NENV-O2: The rights, interests, values and connections of Poutini Ngai Tahu to the natural [environment](#) are protected and provided for and the ability to exercise [kaitiakitanga](#) and tino rangatiratanga is maintained and enhanced.

NENV - P1: Within significant and/or outstanding natural environment areas and features:

Identify areas which must be protected from inappropriate subdivision use and development, and

Identify areas where subdivision, use and development can be sustainably managed, using, where appropriate, the effects management hierarchy, to enable community, economic, cultural and social wellbeing.

NENV - P2: In relation to the natural environment recognise:

- i. The substantial contribution to the protection of natural environment values that is made by the existence of public conservation land;
- ii. The functional or operational need for regionally significant infrastructure to sometimes be located in significant and/or outstanding natural environment areas and features;
- iii. The need to support the ethic of stewardship on private and public lands;
- iv. There are lawfully established activities located in significant natural environment areas; and
- v. The need for weed and pest control to protect, maintain and enhance natural environment values.

Part 2 – District Wide Matters Strategic Direction – Historical and Cultural Values

HH – O3: Identify, assess and recognise [historic heritage](#) places and features that are valued locally, regionally and nationally to ensure their protection from inappropriate subdivision, use and development for future generations.

HH - P1: Recognise that [historic heritage](#) items and areas may be valued on a national, regional or local scale.

Part 2 – District Wide Matters Strategic Direction – Natural Environment Values – Natural Character and Margins of Waterbodies

The below provisions are most relevant to assessing the effects on the natural character of any wetlands and other waterbodies that are present within the Project Area.

NC – O1: To preserve the natural character of lakes, rivers and wetlands and their margins while providing for appropriate subdivision, use and development where adverse effects can be avoided or mitigated.

NC – O3: To provide for activities which have a functional need to locate in the margins of lakes, rivers and wetlands in such a way that the impacts on natural character are minimised.

NC – P1: Minimise the adverse effects of activities on the natural character of the riparian margins of lakes, rivers and wetlands by ensuring that subdivision and land use maintains the elements, patterns and processes that contribute to their natural character.

Part 2 – District Wide Matters Strategic Direction – Natural Environment Values – NFL Natural Features and Landscapes

There are two Outstanding Natural Landscape (“ONL”) overlays that border the Project sub-areas (refer GA, Page 08). It is anticipated that the Project disturbance areas will likely avoid or may marginally encroach into these overlays. It is possible that part of MFS may encroach into the ONL50 overlay along the northwest boundary of the MFS area and the southern boundary of ESE may encroach into ONL41. Therefore, the relevant ONL provisions have been included below to be assessed.

NFL – O1: To protect the values of outstanding natural landscape and outstanding natural features on the West Coast/Te Tai o Poutini, while providing for subdivision, use and development where the values that make the landscape or feature outstanding can be maintained or enhanced.

NFL-P1: To identify Outstanding Natural Landscapes on Te [Tai o Poutini](#)/the West Coast by:

- a. Assessing the values and characteristics of the landscapes according to the following factors:
 - i. Physical characteristics and values;
 - ii. Perceptual characteristics and values;
 - iii. Associative characteristics and values
- b. Including these on the planning maps as Outstanding Natural Landscapes; and
- c. Describing the characteristics and values of each Outstanding Natural Landscape within Schedule Five.

NFL-P2: Provide for activities within outstanding natural landscapes described in [Schedule Five](#) and outstanding natural features described in [Schedule Six](#) where

they maintain the values that contribute to a natural feature or landscape being outstanding and are for:

- a. Existing land uses and [lawfully established](#) activities including residential activities, [regionally significant infrastructure](#), network utilities, [renewable electricity generation activities](#), [mineral extraction](#), agricultural, horticultural and pastoral activities;

NFL - P3: Avoid adverse effects on the values that contribute to outstanding natural landscapes described in [Schedule Five](#) and outstanding natural features described in [Schedule Six](#). Where adverse effects cannot be avoided, ensure that the adverse effects are remedied and mitigated to be no more than minor.

NFL – P6: When assessing whether a proposal for land use or subdivision is appropriate, consider the following matters:

- a. The nature, scale and extent of modification to the landscape or feature;
- b. Whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change;
- c. Whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines;
- d. The temporary, short term or permanent nature of any adverse effects;
- e. The functional, technical, operational or locational need of any [activity](#) to be sited in the particular location, including an assessment of alternative sites;
- f. Any historical, spiritual or cultural association held by [Poutini Ngāi Tahu](#);
- g. Any positive effects the development has on the identified characteristics and qualities;
- h. Any positive effects at a national, regional and local level;
- i. Any relevant public safety considerations; and
- j. The measures proposed to mitigate the effects on the values and characteristics;
- k. The management of effects on natural character, amenity, recreation, historical and biodiversity values; and
- l. Any effects on values of [Māori land](#).

Part 2 Area Specific Matters / OSRZ Open Space and Recreation Zone

Part of the Project footprint (primarily the MFS area) is located within the Open Space Zone. The relevant provisions for the part of the site located within this zone are as follows:

OSRZ - O1: To recognise the different functions, values and purpose of open space on Te [Tai o Poutini](#)/the West Coast through providing for three Open Space and Recreation Zones:

- a. The NOSZ - Natural Open Space Zone with high natural values and a low level of development and built form;
- b. The SARZ - Sport and Active Recreation Zone with sport and active recreation values and associated buildings and facilities; and
- c. The OSZ - Open Space Zone with a very wide range of values including passive and active recreation, [mineral extraction](#), local purposes and pastoral farming.

OSRZ – P9: Provide for the range of purposes where compatible with the open space values including:

...

f. Mineral prospecting, exploration and extraction of resources where these resources are limited in their location.

OSRZ – P15: Provide for [Mineral Extraction](#), [Mineral Prospecting](#) and [Mineral Exploration](#) activities within the OSZ - Open Space Zone where:

Adverse effects on open space and recreation values and the [environment](#) are managed;

Sites are rehabilitated when [mineral extraction](#) activities cease to enable future land uses and activities appropriate to the area;

Areas and values identified in Schedules One to Eight and the Overlay Chapters are protected;

Significant ecological values are protected and [indigenous biodiversity](#) is maintained.

Special Purpose Zones – Buller Coalfield Zone

Most of the Project footprint is located within the Buller Coalfield Zone. Therefore, the provisions of this chapter are most relevant to the BCPCP. The objectives and policies most relevant to landscape and visual amenity within this chapter are outlined below:

BCZ – O2: To ensure that exploration, extraction and processing of minerals within the BCZ - Buller Coalfield Zone minimises adverse effects on the environment, the community and the relationship of Ngāi Tahu with their ancestral lands, sites, water, wāhi tapu and other taonga.

BCZ – P4: Maintain the quality of the environment, landscape, ecological values, Poutini Ngāi Tahu cultural values, character and amenity of the areas surrounding the BCZ - Buller Coalfield Zone as far as practicable by:

- a) Utilising management, monitoring, rehabilitation and mine closure plans as a key tool;
- b) Managing dust, noise, vibration, access and lighting to maintain amenity values and avoid significant adverse effects;
- c) N/A

- d) Managing impacts on significant indigenous vegetation and significant indigenous fauna habitat and associated ecological values and avoiding or mitigating adverse effects;
- e) Managing and avoiding adverse effects on Poutini Ngāi Tahu cultural values;
- f) N/A
- g) N/A
- h) Undertaking remedial measures during extraction operations; and
- i) Requiring sites to be rehabilitated and ensuring that appropriate methods are used for this purpose.

General District-Wide Matters - Earthworks

EW - O1: To provide for [earthworks](#) to facilitate subdivision, use and development of Te [Tai o Poutini](#)/the West Coast's land resource, while ensuring adverse effects on the [environment](#) are avoided, remedied or mitigated.

EW-P2: Manage the effects of earthworks to minimise impacts on landscape character, amenity values, natural features, indigenous biodiversity, cultural and heritage sites and the quality of the environment to avoid, remedy or mitigate adverse effects as appropriate.

Part 2 District Wide Matters - Light

LIGHT – O2: Artificial outdoor lighting is located, designed and operated to:

- a. Maintain the character and [amenity values](#) within zones;
- b. Protect the natural character of the [coastal environment](#) and outstanding natural features and landscapes;
- c. Provide for the health and safety of people, and the safe operation of the [transport network](#);
- d. Protect and maintain the qualities of the natural darkness of the night sky;
- e. Outside the [coastal environment](#), protect significant habitats of [indigenous biodiversity](#) and the species themselves by applying the [effects management hierarchy](#) and maintain the habitats of biodiversity and the species themselves;
- f. Protect significant [indigenous biodiversity](#) within the [coastal environment](#) by avoiding adverse effects on [Threatened or At Risk](#) indigenous species and their habitats; and
- g. Protect [indigenous biodiversity](#) within the [coastal environment](#) by avoiding significant adverse effects on indigenous species and their habitats.

LIGHT – P1: Provide for the use of artificial outdoor lighting that:

- a) Allows people and communities to enjoy and use sites and facilities during night-time hours and contributes to the security and safety of private and public spaces;

- b) Maintains the character and amenity values of the zone and surrounding area;
- c) N/A;
- d) Maintains the natural darkness of the night sky within the [coastal environment](#) and minimises adverse effects on the darkness of the night sky in other areas;
- e) Outside the coastal environment, avoids adverse effects on significant habitats of indigenous biodiversity and threatened or at risk species by applying the effects management hierarchy and maintains the habitats of other indigenous biodiversity and the species themselves;
- f) Recognises the functional or operational needs of activities

LIGHT – P3: Control the intensity, location and direction of any artificial outdoor lighting to:

- a. Ensure that any artificial outdoor lighting avoids conflict with existing light sensitive areas and uses;
- b. Internalise light spill within the [site](#) where the outdoor lighting is located;
- c. Avoid, remedy or mitigate adverse effects on the natural darkness of the night sky and maintain natural character within the [coastal environment](#);
- d. Avoid, remedy or mitigate adverse effects on the significant habitats of [indigenous biodiversity](#) and the species themselves and significant adverse effects on the habitats of other [indigenous biodiversity](#) and the species themselves;
- e. Avoid, remedy or mitigate adverse effects on [amenity values](#), and the health and safety of people and communities in the receiving [environment](#); and
- f. Recognise the functional and [operational need](#) of activities.

National Policy Statement – Indigenous Biodiversity

Although not a landscape policy document, the NPS-IB strongly influences landscape outcomes through:

1. Landscape structure protection
 - Ecosystem representativeness
 - Vegetation pattern retention
 - Indigenous habitat distribution
2. Landscape connectivity
 - Ecological corridors = landscape continuity
 - Reduced fragmentation = improved landscape coherence
3. Landscape edges and transitions
 - Buffer requirements shape visual and ecological gradients

4. Natural character support

- Protection of indigenous ecosystems underpins naturalness

5. Landscape formation processes

- Protection of natural processes ensures ongoing landscape evolution

New Zealand Geopreservation Inventory

The Geopreservation Inventory aims to identify and list information about all the internationally, nationally and many of the regionally important earth science sites throughout New Zealand, irrespective of their current protected status.

In the “Inventory and Maps of Important Geological Sites and Landforms in the West Coast Region”³

Ngakawau Ecological District Survey

The Project and the Mining Permit area lies within the Ngakawau Ecological District, which is one of eleven ecological districts within the North Westland Ecological Region. Ecological districts have been identified on the basis of topographical, geological, climatic, soil and biological features, including broad cultural patterns, producing a characteristic landscape and range of biological communities. The Ngakawau Ecological District is the only ecological district in New Zealand defined by the presence of extensive elevated coal measure geology with its associated landforms, vegetation and flora.

³ Hayward, B.W. and Kenny J. (Eds), (1999). *Geological Society of New Zealand Miscellaneous Publication 105*.

ADDENDUM TO LANDSCAPE ASSESSMENT REPORT

Project Name: Buller Plateau Continuation Project

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Prepared By: Nikki Smetham, Registered Landscape Architect

Prepared For: Bathurst Resources Limited

Introduction & Purpose

This addendum supplements the original Landscape Assessment Report (LAR) for the proposed Buller Plateau Continuation Project, Westport. The purpose of this document is twofold:

- To provide a formal response to the peer review (PR) comments received from Mr Shannon Bray, Wayfinder Planning & Strategy Ltd on 30 June 2026.
- To assess the landscape and visual implications of a reduced mine footprint, relocation of buildings and other minor amendments.

1.0 RESPONSE TO PEER REVIEW COMMENTS

It is understood that the PR was intentionally rigorous, to anticipate the high level of scrutiny the LAR would likely receive. Of key relevance is that the peer review (PR) is generally supportive of the overall conclusions reached in the Landscape Assessment Report (LAR). However, it is considered that the PR may be overreaching in identifying gaps that are not germane to the findings, that most of the comments are quite repetitive, and some are considered to be unjustified.

Overall, the PR contains comments, not about effects that have been missed, but relate to parts of the LAR where the reasoning between values, effects and conclusions could be more clearly demonstrated. The PR considers that this reduces transparency and analytical rigour rather than fundamentally changing the assessment outcome. This is made explicit in both the Executive Summary and the methodology conclusions. Of key significance and relevance to the Panel is the overall conclusion of the PR that the LAR provides a credible basis for understanding the landscape effects of the project and is fit for purpose for decision-making.

The main issues raised by the PR are set out below and responded to:

Methodology – Key Shortfalls Identified

The PR accepts that the LAR adopts an appropriate framework based on *Te Tangi a te Manu* (TTatM) but considers its application could have been stronger.

Consistent Application of the Methodology

The principal criticism is that the stated methodology (physical, perceptual and associative landscape dimensions) is not consistently carried through the report. Physical landscape attributes dominate, while perceptual and associative values are less systematically integrated into the assessment.

The PR considers this weakens the traceable relationship between:

- landscape character,
- identified landscape values,
- assessment of effects, and
- policy evaluation.

However, this is described primarily as an issue of **clarity and transparency**, rather than incorrect assessment.

Response

It is considered that this is potentially a function of the LAR structure rather than missing information or explanations. An alternative structure could treat each Project Sub-Area as a complete and separate project meaning that the description, values, proposal and effects sections would follow an unbroken line of reasoning and make it easier to follow.

However, as it stands, the LAR is supported by the GA, Visual Simulations and Summary Table of Visual and Landscape Effects with further background provided by the Buller Plateaux Landscape Study. The Contents Page can be used to find the location of specific information within the assessment. The methodology shortfalls and relationship between these matters raised by the PR are addressed below in more detail.

Limited Explanation of Methodological Choices

The PR states that the methodology could better explain:

- why particular methods were selected;
- why the two-scale assessment approach was adopted;
- why Landscape Character Units were defined as they were;
- how landscape values were interpreted.

The PR considers these omissions reduce confidence in understanding how conclusions were reached rather than suggesting the conclusions themselves are wrong.

Response

The LAR methodology (refer pages 19 – 30) clearly states why particular methods were used, particularly the Broad-Scale and Project Scale approach and is tailored to the nature and complexity of the Project. It is considered that the Methodology contains sufficient information and that the methodology is appropriate for the Project. The LAR has been carried out consistently with the stated method.

Specifically, the LAR mentions the LCUs and why these were used to separate discrete areas of the Stockton Plateau with reference to the Buller Plateaux Landscape Study, which as stated, serves as additional background information to the LAR.

The physical, perceptual and associative values and how they have been established are outlined in the LAR methodology section (refer Page 24 under the headings Background and Assessing Landscape) with reference to TTatM¹. In essence the identification of landscape values were based on the experience of the author, the descriptions of the receiving environment and each Project Area, online material (e.g DOC), previous proposals, landscape studies (including the BPLS), district plans, expert technical reports and onsite observations supported by the graphic material contained in the Graphic Attachment (GA) to the LAR.

Temporal Assessment Issues

The PR considers the ecological timeframes are appropriate but believes the LAR could more clearly explain:

- progression between mining stages;
- spatial sequencing of disturbance.
- interaction between active mining and rehabilitation
- the link between rehabilitation and the conclusion that effects reduce to low or negligible levels over time particularly how rehabilitation restores perceptual and associative values;

It is considered that this may be regarded as improving understanding rather than altering the predicted effects.

Response

The staging / progression between mining stages and timeframes are set out by Bathurst and are broadly indicative. All consultants have relied on the Project Description provided by Bathurst. The relevant aspects of staging and rehabilitation for each Project Area that will influence landscape effects are teased out in the LAR and attempt to provide a concise landscape focussed summary of pertinent aspects, including staging and sequences based on the information provided.

The interaction between active mining and rehabilitation is a progressive and sequential process. The GA illustrates this for each Project Area by placing the 'Disturbance Schedule and Indicative Landform' and 'Rehabilitation Sequence' side by side. Similarly, the Ecological Rehabilitation (vegetation types) is placed alongside the 'Final Landform Contours'. This graphic material supports the description of staging and assessment of landscape effects. Given that the staging is indicative, the assessment focus is on the assessment of visual effects from particular viewpoints and at stages where effects on the landscape will be most obvious and / or adverse.

Over-emphasis on Physical Landscape Change

A recurring theme throughout the PR is that the LAR:

- strongly analyses landform,
- vegetation,
- hydrology,

¹ Te Tangi a te Manu. Conceptual Framework. 5.48

- ecological systems,

but could better address:

- perceptual values including experiential qualities and sensory experience;
- associative values including cultural narratives, community identity, lived experience, local attachment, tangata whenua relationships, and intangible cultural associations.

Again, these criticisms are presented as opportunities to deepen understanding rather than evidence that effects have been incorrectly assessed.

Response

The nature and scale of the Project inevitably dictate the focus on physical changes. TTatM states that *Importantly landscape values depend upon physical attributes² and landscapes are managed through the physical attributes that embody the values³*. Notwithstanding that, the LAR captures physical, associative and perceptual values and effects throughout the report (refer Contents Page).

Specific and relevant physical, perceptual and associative values are identified following the landscape descriptions at a Broad Scale and Project Scale pertaining to each Project Area (refer Pages 52 - 97. These include the acknowledgement of the relevant ONL values in the receiving environment and where those values differ at different assessment scales. Often the values overlap and are repeated under more than one heading. As noted in the LAR, the unique character of the plateau is derived from the inter-relationship of critical physical attributes (geology, low fertility, weather / very high rainfall, elevation, wind / shelter, exposure, stunted indigenous vegetation etc) and these also play a role in defining the perceptual values. The perceptual values, although not an exhaustive identification refer to the most relevant values listed below, pertaining to the plateau.

At section 7.0 The Introduction to Assessment of Effects on Landscape Values describes the relationship between the physical changes to effects on physical values, perceptual values and associative values before addressing the effects on each Project Sub-Area.

Perceptual Values

The PR mentions perceptual values such as weather experience, atmosphere, soundscape, openness/enclosure, seasonal change, landscape memorability, wayfinding, experiential qualities. With the exception of soundscape, these are described / mentioned throughout the LAR where relevant. Refer Broad-scale values at 6.1.1. Refer Project Scale Perceptual and Associative Values for: Stockton pgs 73 – 75; MFS pgs 79 – 80; UWHR pgs 83 – 84 and ESE pgs 93 – 97.

The soundscape or acoustic qualities of the Project Areas was a notable omission from the LAR although it is strongly linked to weather, which is described a distinctive transient attribute of the plateaux. On reflection it is considered that the experiential acoustic quality of the plateau swings wildly, depending on the weather conditions. In sunny calm conditions the plateau experience may be described as benign, pleasant, with a balmy tranquillity, peaceful and / or remote with birdsong and cicadas present, sounds of rushing water, and at times the drone of distant 4WD vehicles, the odd vehicle, and voices of those pursuing recreational activities may be experienced. Often windy, overcast misty conditions and low temperatures prevail with wayfinding features obscured, dominated by the sound of vegetation rustling prompting a search for shelter. At the other extreme, inclement weather

² TTatM. 5.06

³ TTatM. 5.29

driving rain, wind and mud will confer an inhospitable, angry quality to the plateau, with sound dominated by wind and birdsong absent. Notably less visitors will choose to experience the plateau in inclement weather conditions.

While these transient acoustic qualities will remain to a degree during LOM, noting that the experience of sound will be limited by access restrictions confining experiences on the plateau to the historic Denniston Brakehead and Burnetts Face (including the Coalbrookdale Track) and / or restricting access where necessary to other parts of the plateau. It is inevitable however that there will be adverse effects arising from the sounds of the haul trucks particularly along the UWHR, active mine activity and intermittent blasting. Sound levels from mining activity will be influenced by the topography, noting that the UWHR traverses a valley where sound will travel. The traffic and other activity will convey an industrial working quality to accessible parts of the plateau, mostly the upper area of the Denniston Plateau and around Burnetts Face.

Associative Values

The expert reports (Recreation and Tourism, Archaeological and Historic Heritage, Cultural Impact Assessment, Social Impact Assessment listed at pg 197) relating to associative values are referenced throughout the LAR, integrated and interpreted where applicable, noting that the expert reports contain further specific details and information. This is a common and appropriate practise for landscape assessment.

Landscape Effects are in part captured by the Visual Assessment (as a subset of landscape assessment) at both a Broad Scale and Project Scale to assess effects on landscape values perceived visually – many of which relate to perceptual values (processed cognitively by individuals) such as remoteness, naturalness, memorability, openness, legibility, tranquillity etc. Page 148 notes that perceptual values are those (mostly) experienced visually or through other senses and / or processed cognitively and therefore effects on perceptual values rely in part on the visual assessment. The Visual Assessment is conducted at the Broad-Scale and Project-Scale to capture the difference in the degree of effects due to the view context, and other factors, which are described in detail from each viewpoint.

Following the Visual Assessment, a Landscape Effects Assessment has been carried out for each Project Area (incorporating the Visual Assessment findings) and the effects on relevant landscape values described under Physical, Perceptual and Associative headings. The effects focus on the key relevant values (rather than an exhaustive assessment of every possible value) and acknowledges that the public will have limited or managed access to active mine sites etc that tempers the extent of effects on perceptual values. For example, if there is no access to the areas of the plateau where mining occurs or the mine activity is not visible then some effects on perceptual values will be reduced.

By focusing on the proactive ecological approach, the LAR assumes that successful context-appropriate rehabilitation will establish a healthy, self-sustaining ecosystem. This naturally supports endemic, species-rich biodiversity. Consequently, by enhancing these physical attributes, the LAR affirms that medium-to-long-term perceptual and associative values will be positively maintained, naturally benefiting the landscape.

Cumulative Effects as a Combined Experience is Lacking

The PR in particular, queried whether the cumulative effects would result in a broad shift in plateau character.

Response

The LAR describes where cumulative effects occur (including successive cumulative effects) from the relevant viewpoints (refer viewpoint 13 – pg 116; viewpoint 15 – pg 121; viewpoint 17 – pg 126 and viewpoint 18 pgs 133 to 134) where views of mining within more than one

Project Area will occur at the same time, including the overlap of Cypress Mine. This is an excerpt from Viewpoint 18 cumulative effects (pg 133);

'The Mt William summit is part of the Cedar Creek Saddle Loop track or Myras Track. The values are primarily afforded by the summit setting with impressive rock formations amidst alpine / tussock grassland from where trampers and trail runners can experience 360-degree views over the distant West Coast, Westport, Tasman Sea and surrounding mountain ranges including Buckland Peaks and the Paparoa Range to the south and William Range to the north. In the view midground both the Denniston and southern half of the Stockton plateaux landforms are best appreciated. Mt Rochfort provides an identifiable feature at the top of the Denniston Plateau with a network of roads and pylons and the Denniston settlement conveying a modified landscape. Mt Frederick on Stockton Plateau is less prominent but nevertheless the high point of the highly natural south tilting plateau tableland adjoining the steeply incised Waimangaroa River gorge with rocky bluffs at the head of the gorge.

*Successive cumulative effects will be **very high**, experienced as a result of the visibility of ESE and MFS and Cypress Mine areas from the Mt William summit (Viewpoint 18) during LOM, albeit to varying degrees as extraction activity unfolds. At the peak of extraction activity, the mine areas will appear to be spread across the midground of a continuous panorama conveying a change in character.*

Between stages 2 - 8 extraction effects including the wide spread massive scale of earthworks, landform alteration, removal of vegetation, high levels of activity from machinery and haul trucks along the UWHR will appear most obvious in all three mine areas irrespective of the physical separation between the mines (approximately 3.7km between ESE to MFS and 4.1km between MFS to Cypress). Despite the vast scale of the receiving environment and context of a modified Denniston Plateau cumulative effects on landscape values will relate to enduring changes to the physical landscape, reduced natural character, legibility, a scenic outlook, aesthetic coherence, the erosion of transient values (quiet, tranquillity, close to nature), with adverse effects on recreation and conservation. Of note is that the degree of cumulative effects experienced from Mt William will relate to the numbers of viewers, the sensitivity and attitude of the viewing audience towards the landscape and mining. Opinions on coal mining are polarised ranging from some people accepting coal mining as an economic necessity and for energy security, while others are anti-coal mining for environmental and health reasons. These opinions will directly relate to the degree of cumulative effects on landscape values.

*As rehabilitation occurs and establishes during LOM visible effects will reduce to a degree although stepped highwalls will be prominently visible and activity levels will still remain high. At COM cumulative effects will reduce to **low** when the physical dynamic activity ceases, infrastructure is removed, and rehabilitation is completed and increasingly reduce further as rehabilitation continues to establish.'*

The LAR also addresses cumulative effects in a separate section at 8.5 (refer pgs 190 – 193) as part of a statutory theme. The cumulative effects section addresses what constitutes a cumulative effect, when will they occur and how they will affect perceptual values. The following text is an excerpt from the LAR, section 8.5 and is considered to address the PR query;

'From several viewpoints, particularly elevated recreational locations such as the Trig Track highpoint and Mt William summit, the mine areas are perceived as collectively altering the character of the wider landscape. The cumulative effects include:

- enduring modification of landform and physical landscape character;*
- reduction in natural character and scenic quality;*
- diminished aesthetic coherence and landscape legibility;*
- erosion of transient experiential values such as quietness, tranquillity and a sense of remoteness or being close to nature; and*
- adverse effects on recreation and conservation values.*

Cumulative effects will be greatest during peak extraction stages when multiple mine areas are active concurrently. During these periods, the mine workings appear distributed across a continuous panorama, conveying an expansive extractive intrusion into an intact plateau environment. While the wider Denniston Plateau already exhibits evidence of historic and ongoing mining modification, the scale and extent of simultaneous activity occurring at MFS substantially increases the intensity of visual and landscape effects'.

Incomplete Reasoning Between ONL Values, Effects, Conclusions and the Wider Landscape Context

Response

To clarify, the LAR includes the ONL values as being derived from TTPP Schedules and these are set out in Tables 3 and 4 under Values of the Broad-Scale Receiving Environment. Effects on ONLs are referred to under the Visual Assessment at a Broad-Scale and Project-Scale and also throughout the Landscape Effects Assessment in relation to MFS, UWHR and ESE. Further assessment of effects on the adjoining ONLs is undertaken at 8.2 in relation to the statutory provisions. It is considered that the LAR captures the various effects on the ONLs at different contexts and provides an overall conclusion based on the relevant ONL values.

Low Broad-Scale Effects Conclusion

The PR considers that the low Broad-Scale effects conclusion is based on assumptions.

Response

The PR notes the reasoning relies on 'assumptions' about distance, visibility, scale of the wider landscape, existing mining influence and landscape absorption capacity to conclude broadscale effects will be generally low. These aspects are captured by the LAR, as they form the criteria typical for a visual assessment that was undertaken where the Project will be experienced at the Broad-Scale from representative viewpoints in the receiving environment.

It is commonly understood that distance is a major mitigating factor in the assessment of visual effects depending on the nature and scale of the project. In this receiving environment an overall conclusion on visual effects is reached with consideration of the context, speed

and duration of the view, familiarity with the view, the proportion of the project that will be visible in the view, individual attitudes and knowledge of the Project etc. Of note are the weather conditions prevalent on the West Coast which often obscure all views to the coastal hills. These aspects are not assumptions but are factually described from various viewpoints in the Broad-scale context to enable the overall conclusion that the Broad-scale effects will be low.

Integration of Cultural Values

The review accepts the decision to rely upon the Cultural Impact Assessment for tangata whenua values, but considers:

- cultural values are referenced rather than integrated;
- they are not clearly translated into landscape values;
- their influence on effects assessment is not always obvious.

Response

The CIA was received at the completion of the draft LAR and where relevant, values were added or referenced. The CIA presents tangata whenua values at a broad scale, meaning the maunga (mountains), the whenua (land) and the waters of Te Tai Poutini are sacred (refer Broad-Scale Description, pg 61). The CIA specifically mentions that while the footprint of the Project appears to lie outside any specific wāhi tapu or culturally significant sites it remains important to recognise how this disturbance and these activities integrate with and impact on the wider landscape and wider cultural values. Where applicable, the LAR adopts landscape and associations with places and features that hold cultural significance.

For instance, the CIA makes specific reference to the Orikākā River (which lies in a separate catchment to the Project), that was used as ara tawhito and notes the wahi ingoa (place names) that reference the cultural narratives including ancestral associations, mahinga kai and whakapapa. The headwaters of the Waimangaroa River are broadly mentioned as being impacted by historical mining. It is understood that Waimangaroa translates to long river or long black river and given its maori name clearly has some cultural values.

Of relevance to the Project, specifically the Upper Waimangaroa Haul Road, the LAR draws attention to Te Ao Maori that considers rivers and waterways as taonga (treasures) and the lifeblood of the land (Papatūānuku). The LAR further records that traditionally rivers, including Waimangaroa, were used as ara tawhito for pounamu and seasonal mahinga kai, with connection to the Orikākā / Mackley River. And the river's upper catchment acts as a migration pathway and spawning ground for taonga species. In Te Ao Maori the preservation of the river's mauri (life force) ensures these traditional food resources are sustained. These concepts align with the ecological values and proposed rehabilitation associated with the Project. Overall, the effects on associative values for the UWHR concluded that based on the ecological management plans relating to the road construction and rehabilitation, the water quality of the Waimangaroa River and tributary streams will be maintained and adverse effects on habitats of taonga species will be mitigated.

Overall, the Project will avoid effects on maunga (Mt William, Mt Frederick, Mt Rochfort), will affect the whenua in places where historical mining has occurred (as preferred by Ngāti Waewae) and effects on the rivers / streams will be managed and rehabilitated to improve water quality, aquatic ecosystems, reinstate natural character, etc, both within the footprint and in the downstream environments.

The key focus of the CIA is on rehabilitation and mine closure impacts including water management quality on mahinga kai, toanga species and the overall natural environment to protect cultural values. Ngāti Waewae supports the project, contingent on the proposed mitigation and rehabilitation of rivers, streams, and mining-affected land and compensation package is implemented.

The LAR supports cultural values by addressing effects on significant maunga, whenua and wai and focusing on rehabilitation, aligning with the CIA's emphasis on water management and ecological restoration.

Community Perspectives

The PR notes that:

- community values were not directly incorporated;
- the assessment relies on professional judgement;
- statutory planning documents are effectively used as a proxy.

The PR acknowledges this is common professional practice.

Response

The LAR refers to other experts who canvassed community values, and explicitly states the LAR is an expert report and relies on statutory documents and other expert technical reports to indicate community held values.

Visual Simulations

The reviewer would have preferred greater explanation regarding:

- simulation assumptions,
- camera settings,
- lighting assumptions,
- role of simulations in assessment,
- limitations of the modelling.

Response

While the PR does not suggest the Visual Simulations (VS) are inaccurate, the methodology, including technical parameters, modelling limitations, etc, is appropriately provided by Virtual View, who prepared the VSs.

In terms of the LAR, it is acknowledged that VSs are not a substitute for the actual experience of the plateau and the Project. The VSs provided an additional layer of

information to capture the extent of the Project within the context and panorama of the plateaux and receiving environment, critical stages of extraction and how the different Project Sub-Areas will interact in combination. The LAR provides an interpretation of the VSs as they relate to effects on landscape values including cumulative effects.

Statutory Analysis

The PR accepts that all relevant statutory documents have been identified.

The criticism is that the LAR could better demonstrate:

- exactly how objectives and policies influenced conclusions;
- clearer linkage between policy, values and effects.

The PR characterises this as a transparency issue.

Response

The LAR statutory analysis was undertaken at a broad level as requested by Mitchell Daysh Ltd: Resource Management and Planning Specialists. Section 8.0 introduces the statutory documents and outlines the relationship between landscape objectives and policies and different emphasis pertaining to sustainable management (refer pg 179). It is considered that the statutory provisions were appropriately canvassed by the LAR in relation to the common themes advanced by the objectives and policies relevant to the consideration of landscape effects.

Conclusions About Landscape Effects

Response

Despite identifying potential methodological improvements, the PR repeatedly concludes that these shortcomings do not materially change the assessment of effects.

The PR expressly concludes that:

- the information base is sufficiently robust;
- the methodology is generally appropriate;
- the assessment identifies the landscape values;
- the assessment identifies the full range of landscape effects;
- the report provides a reliable understanding of landscape effects;
- it is fit for purpose for Fast-track decision-making.

Similarly, the Executive Summary states that although:

- methodological integration is incomplete,
- perceptual and associative dimensions could be stronger,
- rehabilitation assumptions could be more explicit,

the LAR nevertheless:

- provides a credible foundation;
- identifies the principal landscape changes;

- identifies the full extent of landscape effects for decision-making.

Substantively the PR does not conclude that:

- effects have been underestimated overall;
- important effects have been omitted;
- the effects ratings should be materially higher;
- the proposal has greater landscape effects than assessed;
- the proposal should reach different planning conclusions.

From an expert evidence perspective, the PR is best characterised as a constructive critique of methodology rather than a substantive disagreement with the LAR. While the PR recommends improvements to the articulation, integration and transparency of the assessment process it repeatedly concludes that:

- the methodology is broadly sound;
- the evidence base is robust;
- the landscape effects have been appropriately identified;
- the conclusions are generally credible; and
- the identified shortcomings do not materially change the overall conclusions regarding the effects of the proposed mining.

2.0 BULLER PLATEAU CONTINUATION PROJECT REFINEMENTS

The mining proposal has been amended in response to stakeholder feedback and ongoing refinement of the Project's objectives to achieve a reduced environmental and visual impact. The amendments relate to the ESE Project Area and those most relevant to landscape assessment include:

- Removal of the Escarpment Extended (ESE) borrow pit and associated access to the borrow pit;
- Relocation of the ESE administration buildings and gatehouse into the Central Infrastructure Area (CIA);
- A temporary 8m increase in height to the North ELF prior to drawdown to construct final landforms but an overall reduction in the height and extent of the North ELF footprint;
- Relocation of a tyre storage area within the CIA;
- Additional CIA water management infrastructure;

Revised Assessment of Effects on Landscape Values

The 18ha reduction in the disturbance footprint relates to the removal of the borrow pit that at COM was proposed as a lake and the reduction in the Sullivan North ELF footprint. Other

amendments relate to the removal of the gate house infrastructure and buildings relocated to the CIA.

The changes will be visible from the Project-Scale viewpoints particularly Viewpoint 13 - Mt Rochfort, Viewpoint 16 – Whareatea Mine Gate, Viewpoint - 17b Whareatea Trig Track and Viewpoint 18 - summit of Mt William. The balance Project-Scale viewpoints (14 – Corner of Whareatea Mine Road and Burnetts Face Road and 15 – Whareatea Mine Road) will not change due to the screening by existing topography.

The removal of the borrow pit and lake means that the pond reservoir (Feature 37) known as Lake Connew and the immediate surrounding Sullivan Mine artefacts will be retained. The reduced footprint and removal of the lake and retention of the existing small reservoir and topography will signify a reduction to adverse visual effects, which will vary depending on the viewpoint orientation, resulting in no change to the existing landscape character and a positive effect on perceptual values and associative values relating to heritage.

The most significant amendment from a landscape perspective will be the relocation of the ESE administration buildings and gatehouse infrastructure into the CIA. The co-location of all the built form internally is assessed as a benefit of this amendment reducing adverse effects particularly on visual amenity, associative and experiential values from the Denniston Plateau viewpoints, including recreational tracks and public outlook.

The gatehouse and administration buildings, including lighting, were visible from a number of key viewpoints (13,16,17b and 18a) on the Denniston Plateau. From viewpoint 16 and 17b the gate house and infrastructure was visible at a distance of 850m on the skyline, albeit alongside existing modification including the power pylon transect. The visual prominence of the gate house structures and lighting effects will be removed and the perception of the extent of mine workings will reduce, being confined to a smaller area.

A temporary increase in the height of the Sullivan North ELF will occur as an additional 8m during LOM. The ELF will be constructed between Year 4 – Year 7 and the height increase will occur from end of Year 6 to Year 7 but the final landform will remain as indicated, except for a reduced footprint at the northern edge by 3.88ha. The change in height (8m) will not be particularly noticeable in the context and scale of the Denniston Plateau, and neither will be reduced footprint. Although overall it reduces the footprint and therefore intuitively this means that the perception of visual coherence and landscape character will be marginally better maintained than under the original scheme from Viewpoints 13, 17b, and 18a.

The relocation of a tyre storage area within the CIA and additional CIA water management infrastructure will not result in any appreciable difference to the landscape effects, including visibility.

Revised Visual Assessment for Affected Viewpoints

Due to the footprint reduction, the visual effects from the specific viewpoints raised in the peer review process have been re-evaluated:

Viewpoint 13 crop 2 - Mt Rochfort: The removal of the gatehouse infrastructure, borrow pit and quarry lake will maintain the existing plateau character, although areas of existing modification will still be apparent. The buildings relocated to the CIA will be visible during the early stages of mining but by Stage 6 the Central ELF landform will screen these from view for the balance of mining stages. The reduced footprint of the Sullivan North ELF will be visible from this viewpoint but the temporary change in height to the ELF will be negligible and overall, the height will reduce at COM. Despite the amendments resulting in a more confined extent of mining activity on the Denniston Plateau, effects on landscape values will remain at **very high** in the short term, reducing to moderate-high and low to very low post COM and rehabilitation in the long term.

Viewpoint 15b - Whareatea Road: The complex topography in the foreground screens the proposed amendments so no change in effects will occur.

Viewpoints 16 and 17b - Trig outlook:

Crop 01. The foreground topography and backdrop of the Central ELF means that the proposed amendments to the Sullivan North ELF, will not be noticeable in the context of the wider changes. The relocation of the buildings to the CIA will be partly visible in the mid-ground of the view partly obscured by topography. However, the removal of the borrow pit and quarry lake will mean that the open character of the existing topography remains in the midground of the view and a natural character will prevail rather than views of the stepped landform surrounding the quarry lake. Views of stepped landform will remain apparent in the backdrop as part of the Central ELF that will intrude into the backdrop skyline in part. The proposed amendments will not change the landscape outcome which will be less open in character with a forested landcover consistent with the background hills beyond the Plateau.

Crop 02. The removal of the gatehouse infrastructure on the skyline will maintain the existing plateau character, although areas of existing modification including the prominent power pylon will still be apparent.

Although effects relating to the removal of built form on the sky-line and removal of the borrow pit and quarry lake will retain a natural character, built form will still be visible and overall, the degree of adverse effects from Viewpoint 17b will reduce slightly to **high - very high** during mining reducing to moderate-high to high at COM and low – no effects in the long term.

Viewpoint 18a Mt William Summit: The removal of the borrow pit and quarry lake will be noticeable from this viewpoint with the reduction of wide stepped landforms and lake water. Although this part of the landscape is modified and contains an existing lake, the change will nevertheless maintain the existing open character and complex topography of the plateau and reservoir. Views of the increased number of buildings in the CIA will be visible but located in a low point tucked into the toe of the ELF and well removed from the coastal interface, which presents a logical rationale to the location. The increased height of the Sullivan North ELF and reduced disturbance area will not be noticeable to any degree with the resulting landform appearing consistent with the surrounding terrain of the Plateau.

Overall, the reduced extent of the ESE disturbance area will result in a marginal reduction in adverse effects on landscape values in the short and medium term.

Summary of Effects on Landscape Values

Physical values - the physical changes are used to gauge the threshold of change to the Denniston Plateau character. The removal of the borrow pit and lake, overall reduced disturbance footprint and height of the Sullivan North ELF, removal of the gatehouse infrastructure from the skyline and co-location of buildings with the CIA directly scales back the overall extent of the Project modification on the Denniston Plateau.

Perceptual values—character, including natural character, sense of isolation, wildness, amenity and visual legibility were assessed from selected key viewpoints. The perception of visual coherence in views from **Viewpoints 13, 16, 17b, and 18a** will be marginally better maintained than under the original scheme. Adverse effects on landscape character and amenity arising from the removal of the borrow pit and lake will reduce despite the retention of modified areas of the Denniston Plateau.

Associative values - heritage features and recreational trail overlaps were addressed in the original LAR. The footprint reduction entirely avoids the historic reservoir / Lake Connew

(Feature 37), meaning its historic/associative integrity remains untouched. Spatial conflicts with historical or recreational values will not occur from the proposed amendments.

6. Updated Attachments

- **Appendix B:** GA, Pages 70 - 73
- **Appendix C:** Updated Visual Simulations for **Viewpoints 13 - crop 2, 15b, 17b, and 18a.**

Professional Sign-off

This addendum has been prepared by a qualified landscape professional in accordance with best-practice assessment methodologies.

Prepared by:



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28 July 2026



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