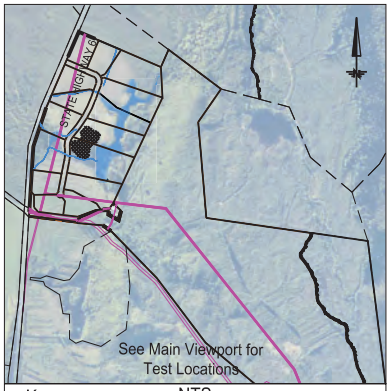


Key: NTS

- : Site Boundary
- : Abuttal Boundary
- : Road Boundary
- : Easement
- : Test Pit (TP)
- : Stream / <3m width
- : Top of Bank (TOB)
- : 10m Setback from Pond
- : Pond / >3m width
- : Fill Material Uncontrolled
- : Proposed BLA

0m 50m 100m 150m 200m 250m

Scale 1:2500

Test & building locations are approximate (scaled & aligned using aerial imagery).
Shallow geotechnical testing undertaken 3rd & 4th September 2024.
Aerial image obtained from Davis Ogilvie drone image & GRIP®.
Boundaries obtained from Davis Ogilvie scheme plan 101 A dated 01/2025 are indicative only. Contours displayed at 1 m intervals, West Coast lidar 2020-2024 Buller 2000 sourced from LINZ data service are indicative only.

CAD ref: 250723.44214.GeotechnicalSitePlan

DAVIS OGILVIE
ENGINEERS / SURVEYORS / PLANNERS
Davis Ogilvie & Partners Ltd - Ph. 0800 999 333

Geotechnical Site Plan
Lot 3 DP 360520
State Highway 6, Westport

/ design	/ drawn	/ QA check	/ dwg
HW	JV	HW	G01
/ scale @ A3	/ date	/ file	/ issue
1:2500	07/25	44214	B

Affected Person's Written Approval to an Activity that is the Subject of a Resource Consent Application

BULLER DISTRICT COUNCIL
Te Kaunihera O Kawatiri

Section 95E(3) Resource Management Act 1991
***Form 8A** - Resource Management (Forms, Fees, and Procedure) Regulations 2003*

Deliver your approval to Planning Department, Buller District Council, 6-8 Brougham Street, Westport
Post your approval to Planning Department, Buller District Council, PO Box 21, Westport 7866
Email your approval to planning@bdc.govt.nz

Checklist

☑ I have read and understand the information provided on page 4 of this form.

☑ I have read the full application for resource consent, the Assessment of Environmental Effects, any technical reports and any plans provided by the applicant (detail below) and have signed a copy of each page of the plans.

☑ I have attached the signed copy/copies of the plans.

☑ I have listed the documents provided to me by the applicant for consideration.

☑ I have provided the signature/s of person/s giving written approval (or person authorised to sign on behalf of person giving written approval).

☑ I am signing on behalf of an organisation/trust and have provided signed written proof from each person I am signing on behalf of that I have authority to sign this form on their behalf.

Notes to affected person signing written approval

- Conditional written approvals cannot be accepted.
- There is no obligation to sign this form, and no reasons need to be given.
- If this form is not signed, the application may be notified with an opportunity for submissions.
- The information to be provided on the Affected Person's Written Approval form is required under legislation:
  - Section 95E(3) Resource Management Act 1991; and
  - Form 8A - Resource Management (Forms, Fees, and Procedure) Regulations 2003

  If information required under legislation has not been supplied this form may be returned for completion
- For Further Enquiries email planning@bdc.govt.nz or phone 03 788 9603.

Affected Person's Written Approval to an Activity that is the Subject of a Resource Consent Application

BULLER DISTRICT COUNCIL
Te Kaunihera O Kawatiri

Section 95E(3) Resource Management Act 1991
***Form 8A** - Resource Management (Forms, Fees, and Procedure) Regulations 2003*

PLEASE READ the Information for Persons signing an Affected Parties Approval before you sign this form.

1. Affected Person's Details

Full name/s of person/s affected and giving written approval:

BULLER ELECTRICITY LTD

I am /We are the ☐ Owner(s) ☐ Occupier(s) ☐ Owner(s) and Occupier(s) ☐ Director(s) ☐ Trustee(s)

Of the property situated at:
(Address of location of the property of the person signing this form)

Contact Person: DALE ROSS -

2. Resource Consent Application Details

Resource Consent Number: RC 250005

Full Name of Applicant: JOHN RAYMOND McLAUGHLIN

Application Site (Address or location to which the application relates):

STATE HIGHWAY 6, ADDISONS FLAT, WESTPORT

The Proposal: Description of the proposed development or activity:

SUBDIVISION CONSENT FOR 18 LOT FEE SIMPLE SUBDIVISION

3. Affected Persons Contact Details

Contact Person: DALE ROSS - BULLER ELECTRICITY LTD

Postal address for service:

Telephone: 027 446 9220 Email: dale.ross@bullernetwork.co.nz

I/we have authority to sign this form on behalf of all the other owners/occupiers (select one) of the property.

(i) Please list the full name/s of any person/s you are signing on behalf of **and** provide signed written proof from each person you are signing on behalf of that you have authority to sign this form on their behalf.

(ii) If you are signing on behalf of a trust or company/organisation, please state your designation/position and provide additional written evidence that you have signing authority.

Trust/Company/Organisation: BULLER ELECTRICITY LIMITED

Designation: NETWORK ASSET MANAGER

4. Confirmation of Documents Reviewed (mandatory to complete)

I confirm that I/we have read the full application for resource consent, the Assessment of Environmental Effects, any technical reports and any plans provided by the applicant (detail below) and have attached a signed copy of each page of the plans.

Document sighted: APPLICATION FOR SUBDIVISION CONSENT Document Dated: 28/01/2025

Document sighted: ..... Document Dated: .....

Document sighted: ..... Document Dated: .....

Document sighted: ..... Document Dated: .....

Document sighted: ..... Document Dated: .....

5. Written Approvals

☑ I/We give written approval to the activity noted above.

- I understand that as I have given written approval, the Council shall not take into account any effects that the proposal may have on me when considering the application.
- All owners and occupiers of this property must sign the approval form, if the property is held in a Trust, all Trustees must sign. Conditional written approvals cannot be accepted.
- Where this form has been signed on behalf of a trust or company, or under a Power of Attorney, please supply the necessary documentation to confirm that you have the signing authority.
- I understand that I may withdraw my written approval by giving written notice to the consent authority before the hearing, if there is one, or, if there is not, before the application is determined.

6. Signature/s of person/s giving written approval (or person authorised to sign on behalf of person giving written approval.

- In signing this written approval, I understand that the consent authority must decide that I am no longer an affected person, and the consent authority must not have regard to any adverse effects on me.

Signature: ..... Date: 3/02/2025

Name of person signing: DALE ROSS

Signature: ..... Date: .....

Name of person signing: .....

Signature: ..... Date: .....

Name of person signing: .....

Privacy Statement: The personal information that you provide in this form will be held and protected by Buller District Council in accordance with our privacy policy (available at bullerdc.govt.nz/privacy and at council libraries and service centres) and with the Privacy Act 2020. Council's privacy policy explains how we may use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. We recommend you familiarise yourself with this policy.

Information for Persons signing an Affected Person's Approval

BULLER DISTRICT COUNCIL
Te Kaunihera O Kawatiri

Section 95E(3) Resource Management Act 1991

What is a Resource Consent?

When people wish to build or use a property in a way which does not comply with the rules in the Buller District Plan, they require special permission from the Council to do so and this is known as a Resource Consent. If they obtain resource consent they are able to build or use the property in accordance with that consent and do not have to comply with the District Plan. This process is set down in the Resource Management Act 1991. An application for Resource Consent can be considered in one of three ways. Applications are either publicly notified (allowing public involvement by any person), limited notified (allowing involvement by a limited number of directly affected people) or non-notified (often involving written approval from directly affected people).

If an application for a Resource Consent is to be processed as a non-notified application, the Resource Management Act requires that written approval must be obtained from every person whom the Council considers may be adversely affected to a minor or more than a minor extent. It is the responsibility of the applicant to consult with persons identified as being affected.

If you have been asked to give your written approval it is likely that this is because the Council considers you may be adversely affected by the proposed activity. This gives you the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected and/or the degree to which you may be adversely affected.

If you are asked to give your written approval to someone's proposal as part of their application for a Resource Consent, you should do the following:

1. Request that the applicant (or their representative) explain the proposal clearly and fully to you, including the ways it does not comply with the District Plan.
2. Study the application and associated plans of the proposed activity provided by them in order to understand the effects of the proposal. If there are no plans available at this stage, you may wish to wait until they are available. Ask for time to consider the documents if you think you need it.
3. Decide whether the proposal will adversely affect you or your property. You are entitled to ask the applicant for more information, but you should make a decision about whether you will sign the form or not as promptly as is reasonable in the circumstances. You may suggest amendments to the proposal that you consider would reduce the effects of the proposal on you. If you do this you should sign only the amended version of the proposal. Written approvals obtained will usually be submitted to the Council by the applicant as part of their application.
4. If you are satisfied that the proposed activity will not adversely affect you and/or the effects are acceptable to you, you may decide to sign the affected person's approval form on this document and a copy of the associated application including plans. You should then return them to the applicant (or their representative). If you are willing to sign subject to some other condition being met, this will need to be the subject of a civil agreement between yourself and the applicant.
5. If you change your mind after signing the form, you may withdraw your approval at any time before the hearing, if there is one, or otherwise before a decision is made on the application, by advising the Council in writing that your approval is withdrawn.
6. If you consider that you will be adversely affected by the proposal and/or do not wish to sign the approval form, you will need to advise the applicant (or their representative). There is no obligation to sign this form, and no reasons need to be given.

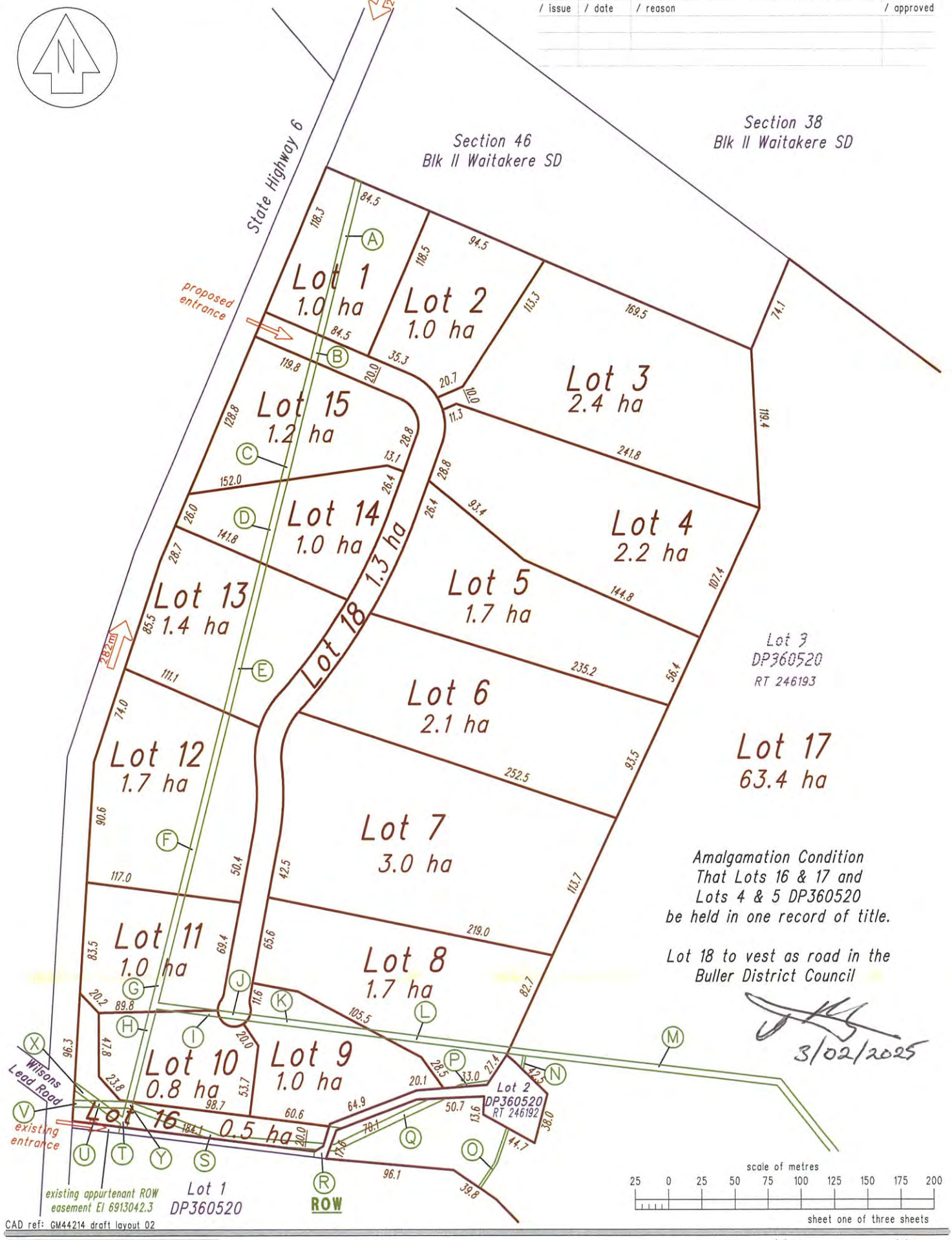
Please note that if a property is owned by more than one person, all of the joint owners are considered to be 'affected persons'. If a property is rented out, the tenants are also considered to be 'affected persons'.

If you do not give your approval and you are considered by the Council to be an adversely affected person, then the application must be publicly notified or processed on a limited notified basis, and you will have a formal right to lodge a submission on the application. Alternatively, the applicant may proceed without the need for Resource Consent if they amend their proposal so that it complies with the Plan, or if they amend their proposal so that it still needs Resource Consent but the Council no longer considers that the proposal will affect you.

Please note that even though you may sign the affected person's approval form, Council must give full consideration to the application in terms of the Resource Management Act. However, if you give your approval to the application, Council is not able to have regard to any actual or potential effects the proposal may have on you. If Resource Consent is granted by the Council there is no way for either you or the Council to retract it later. You are therefore encouraged to weigh up all the effects of the proposed activity before agreeing to it.

contractor to locate all existing services & verify all dimensions before commencing work

/ issue	/ date	/ reason	/ approved



sheet one of three sheets

CAD ref: GM44214 draft layout 02

DAVIS OGILVIE
ENGINEERS / SURVEYORS / PLANNERS

Davis Ogilvie & Partners Ltd - Ph. 0800 999 333

Proposed Subdivision of Lot 3 DP360520

/ drawn	/ dwg
Mike Robbins	101
/ scale@ A3 / date / file	/ issue
1:2500 01/25 GM44214	A

contractor to locate all existing services & verify all dimensions before commencing work

/ issue	/ date	/ reason	/ approved

State Highway 6

Section 46
Blk II Waitakere SD

Section 38
Blk II Waitakere SD

proposed exit only

existing entrance

existing appurtenant ROW easement EI 6913042.3

Lot 1 DP360520

ROW

Lot 1
1.0 ha

Lot 2
1.0 ha

Lot 3
2.4 ha

Lot 4
2.2 ha

Lot 5
1.7 ha

Lot 6
2.1 ha

Lot 7
3.0 ha

Lot 8
1.7 ha

Lot 9
1.0 ha

Lot 10
0.8 ha

Lot 11
1.0 ha

Lot 12
1.7 ha

Lot 13
1.4 ha

Lot 14
1.0 ha

Lot 15
1.2 ha

Lot 16
0.5 ha

Lot 17
63.4 ha

Lot 18
1.3 ha

Lot 3
DP360520
RT 246193

Lot 2
DP360520
RT 246192

Amalgamation Condition
That Lots 16 & 17 and
Lots 4 & 5 DP360520
be held in one record of title.

Lot 18 to vest as road in the
Buller District Council

3/02/2025

scale of metres
25 0 25 50 75 100 125 150 175 200

sheet two of three sheets

CAD ref: GM44214 draft layout 02

DAVIS OGILVIE
ENGINEERS / SURVEYORS / PLANNERS

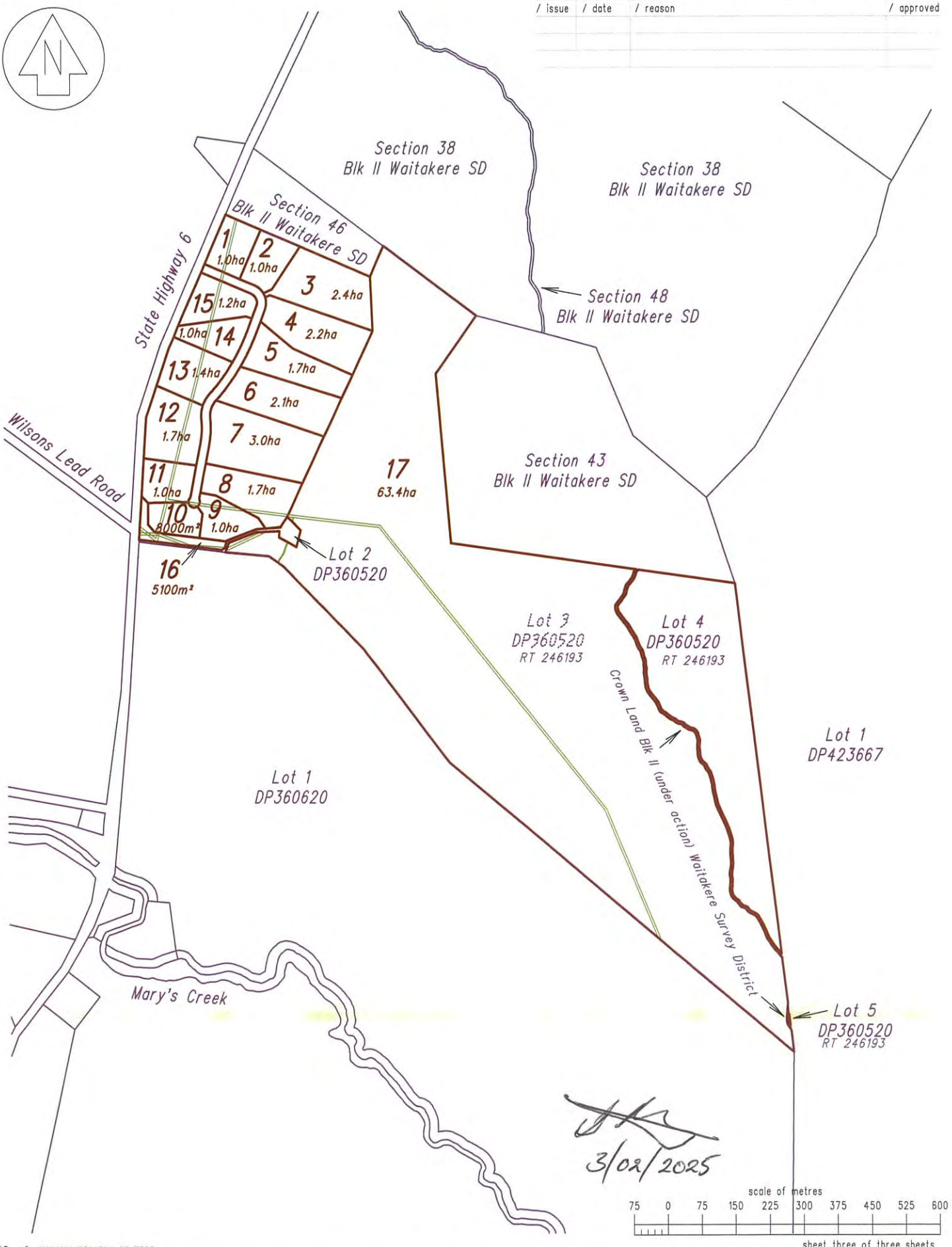
Davis Ogilvie & Partners Ltd - Ph. 0800 999 333

Proposed Subdivision of Lot 3 DP360520

/ drawn	/ dwg
Mike Rotbing	101
/ scales A3	/ date
1:2500	01/25
/ file	/ issue
GM44214	A

contractor to locate all existing services & verify all dimensions before commencing work

/ issue	/ date	/ reason	/ approved



sheet three of three sheets

CAD ref: GM44214 RCA Plan_02 7500

DAVIS OGILVIE
ENGINEERS / SURVEYORS / PLANNERS

Davis Ogilvie & Partners Ltd - Ph. 0800 999 333

Proposed subdivision of Lot 3 DP360520

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/ scale@ A3	/ date / file / issue
1:7500	01/25 GM44214 A

Land Registration District
Nelson

Plan Number
GM44214

Territorial Authority (the Council)
Buller District Council

Proposed Easement
(Pursuant to s243 Resource Management Act 1991)

Purpose	Shown	Servient Tenement	Dominant Tenement
Right of Way	R	Lot 2 DP360520	Lots 16 & 17 and Lots 4 & 5 DP360520

Schedule of Existing Easements

Purpose	Shown	Servient Tenement	Creating Document
Right to convey electricity	N O	Lot 17	EI 6913042.3
Right to convey telecommunications	V U Z Y S	Lot 16	EI 6913042.3
Right to convey telecommunications	Q	Lot 17	EI 6913042.3
Right to convey telecommunications	P	Lot 8	EI 6913042.3

Schedule of Existing Easements in Gross

Purpose	Shown	Servient Tenement	Creating Document
Right to convey electricity	A	Lot 1	EI 6913042.2
Right to convey electricity	C	Lot 15	EI 6913042.2
Right to convey electricity	D	Lot 14	EI 6913042.2
Right to convey electricity	E	Lot 13	EI 6913042.2
Right to convey electricity	F	Lot 12	EI 6913042.2
Right to convey electricity	G	Lot 11	EI 6913042.2
Right to convey electricity	H I	Lot 10	EI 6913042.2
Right to convey electricity	K	Lot 9	EI 6913042.2
Right to convey electricity	L	Lot 8	EI 6913042.2
Right to convey electricity	M	Lot 17	EI 6913042.2
Right to convey electricity	T U X Y	Lot 16	EI 6913042.2

Part Easements to be Surrendered

Purpose	Shown	Servient Tenement	Creating Document
Right to convey electricity	B J	Lot 3 DP360520	EI 6913042.2

3/02/2025

McLaughlin Subdivision Ecology Report

RC250005 State Highway 6, Addisons/Virgin Flat

Draft of 28 May 2025

Emeritus professor David Norton
Biodiversity Solutions Ltd., Lake Hāwea

Executive summary

- This report provides a description of the vegetation of Lot 3 DP360520, focusing on the ca. 24 ha that is proposed for subdivision into 16 Lots, but not the residual 63 ha Lot 17. I assesses the ecological significance of the waterbodies and regenerating native forest present.

- It is noted as context that this property has been subject to historic gold mining that has substantially altered the landforms present.

- About 14 ha of the area is exotic pasture, ca. 2 ha waterbodies and ca. 7 ha regenerating native forest.

- The pasture area is dominated by exotic grasses with a strong exotic rush presence. Both gorse and manuka are present in small amounts, both kept in check by grazing and cutting.

- The regenerating native forest is dominated by kāmahi in the canopy, although emergent rimu are conspicuous. Almost all the regenerating native forest is located on surfaces that have been created by historic mining (primarily waste material comprising boulders, cobles and gravel) and largely lack soil. The forest is heavily browsed by deer.

- These regenerating forests are in fact novel ecosystems, in that they have formed on landforms that are not natural in the Foulwind Ecological District, or for that matter anywhere on the West Coast.

- The waterbodies present on the property have formed in pits excavated by mining. It appears that their wet status is relatively recent (since the 1970s) and they were dry prior to this. While these are wetlands as defined in the RMA, they are not, in my opinion, natural inland wetlands as defined by the Freshwater Management National Policy Statement.

- I conclude that neither the waterbodies or the regenerating native forest are significant in terms of the criteria in the Indigenous Biodiversity National Policy Statement.

- Notwithstanding this, I do believe that these regenerating native forests and the main waterbody they surround do have value and I would encourage the land owner to consider a covenant to insure that their values are retained and protected once the subdivision has been undertaken.

Introduction

I have been asked by Davis Ogilvie & Partners Ltd., consultant planners to the applicant, to provide advice on the ecological values associated with Lot 3 DP360520, State Highway 6, Addisons Flat. The owner, John McLaughlin, has applied for resource consent to subdivide this Lot (RC250005). Last year (7 September 2024) at the request of the applicant's planner, I provided a desktop assessment of the status of water bodies on the property but was not asked to look more broadly at ecological values or undertake a site visit. Buller District Council have now requested further information on ecological effects in their letter of 21 February 2025. Specifically, they have asked for:

"The application notes there is a combination of exotic and indigenous vegetation on the site, and this was confirmed during the site visit. There appears to be areas of regenerating indigenous vegetation present, and birds were observed in/around waterbodies, however it is unknown what ecological values exist on the site.

Provide an ecological effects assessment of the proposal, prepared by a suitably qualified and experienced person, that addresses the following matters (as a minimum):

a) the identification and delineation of any waterbodies and natural wetlands on the site (if any);
b) the ecological values and significance of vegetation and habitats on the site (with consideration of the relevant criteria under the Buller District Plan, West Coast Regional Policy Statement and proposed TTPP); and
c) consideration of any necessary restrictions for built development and land use to avoid, remedy or mitigate effects on ecological values."

I visited the property on 15 May 2025 in overcast but fine weather, when I spent approximately five hours walking across the property, focusing mainly on the areas of native vegetation (including waterbodies). In writing this report, I draw on my wider experience of Buller vegetation including an assessment of ecological significance in the Foulwind Ecological District where the McLaughlin property is located. This was undertaken as part of a wider study looking at application of RMA Section 6(c) on the West Coast, (1999-2001)[1].

This current report provides an assessment of the three issues listed above with respect to the McLaughlin property. As context for my comments, I briefly discuss what is known of the history of this site as this has a strong bearing on my conclusions. I focus on the ca. 24 ha that is proposed for subdivision into 16 Lots, but not the residual 63 ha Lot 17 (Figure 1).

[1] Smith V & Norton D 2001. *Significant natural area assessment and protection.* West Coast Significant Natural Areas Project, Sustianable Management Fund Project 8077.

Figure 1. *Area proposed for subdivision, SH6, Addisons Flat.*

Historical context of landforms present

Historical records show that this area was likely mined for gold as part of the major mining boom that occurred across Addisons Flat starting in 1867. At that time, miners had to dig through 5-10 m of overburden to access the seams of gold-bearing black sand deposits. In some places, mining was undertaken using tunnels, but elsewhere, pits were dug to excavate the gold, with the waste material deposited either as backfill or creating small hillocks. Of relevance to the current landforms present in the McLaughlin property was the use of a rig system to remove rocks and gravel (overburden) to access the gold-bearing material. The following quotes[2] explain how this system worked:

"… seams of gold run along the flat at a depth of 15 to 30 feet (4.5-9 m depth)."

"The rig system of removing the stones, boulders and gravel from the face of the paddocks was operated in each claim."

"He first tried it with what is known as the water balance, that is, a large truck tank was loaded with water at the top of the rig, and as the tank got full, it would pull up a truck of stones that was loaded down at the hopperings. About half as much weight of water would be in the tank as what was in the truck of stones and when the tank got to the bottom of the rig, it would mechanically empty itself and the empty stone truck would then be filled with water, and by this means it would bring the empty tank back to repeat the operation of filling again to raise the truck of stones."

This method of mining resulted in a landscape that is dominated by shallow pits where overburden and then gold bearing sands were removed, and backfilled areas comprising small hillocks and, on this property, low parallel ridges of mining waste material.

Overview of ecological patterns present

The property is predominantly pasture (ca. 14 ha), but with small waterbodies (ca. 2 ha) and regenerating native forest and mānuka shrubland (ca. 7 ha) in the west. This section describes the pasture and regenerating native forest. The waterbodies are discussed in more detail in the next section.

The pastures are dominated by exotic pasture grasses with exotic rushes[3] and lace fern scattered through the grass sward (Photo 1)[4]. Gorse is common and there is sparse mānuka, although grazing does appear to be currently keeping gorse in check. The exotic rushes are very dominant reflecting the wet nature of this environment.

The contour of the southern paddocks has been strongly modified by drainage, perhaps a form of 'humping and hollowing', which is evident both when walking around and from aerial photography (Figure 2). It is less clear what has been done in the northern paddocks, although the gradient of the land surface suggests that this has also been modified to facilitate drainage. Two obvious drains are present, one of which also drains from the water bodies present to the west.

---

[2] Moloney Dan, 1923, *The History of The Addison's Flat Goldfields*. Privately published Westport (https://en.wikisource.org/wiki/The_History_of_Addison%27s_Flat_Gold_Fields – accessed 26 May 2025)

[3] Scientific names of plants mentioned in the text are given in Appendix 1.

[4] Photos are included in Appendix 2.

The main drain flowing towards SH6 is lined with harakeke, together with scattered mānuka and mingimingi. A fence also runs through here. A slightly larger area of mānuka shrubland is present in a damp area north of this and it appears that scrub cutting has been used to keep the mānuka from spreading into adjacent pasture areas. If stock were removed, it would seem likely to me that all the pasture areas would revert into gorse and/or mānuka quite quickly.

Figure 2. *Obvious drainage lines in the southern pasture area.*

The regenerating native forest is a distinctive feature of the property and occurs mainly in the west, although a small area also occurs between the eastern waterbody and SH6. The forest is surprisingly uniform, although with some local variation. Kāmahi is by far the most important species in the canopy, which is at about 8-10 m height (Photo 2). A few other species also occur in the canopy, but are minor including māhoe, porokaiwhiri and toro. On the western side of the main waterbody, several southern rātā occur in the canopy with the kamahi (mainly in Lot 5; Photo 3). Rimu is scattered through these forests, usually emergent above the kāmahi canopy (Photo 4), with very rare thin-barked tōtara and one miro also emergent. The forest understorey is generally sparse and includes toro, wheki and horoeka, while the forest floor is dominated by piupiu (Photo 5). Other species seen occasionally include hutu, tall mingimingi, kanono and very occasional climbing rātā.

Up slope from this regenerating forest and mainly beyond the eastern boundary of the proposed subdivision (ie. in Lot 17), mānuka dominated shrubland with some gorse is dominant. Sedges and tangle fern are common through this. A small area of this vegetation type also occurs in Lot 3.

Rimu grow as emergent trees above the kāmahi canopy and are a distinctive feature of this regenerating forest. In one area (in Lot 4) there were 10-12 rimu each 20-50 cm dbh within about a 20-30 m radius area (Photo 6). Interestingly, I also observed one red beech tree with three main leaders (each 50-80 cm dbh) present (Lot 6; Photo 7). While quite a large tree (20

m tall), it showed marked evidence of substantial canopy dieback and did not look healthy. No other beech trees were seen.

Several common forest birds were seen or heard including piwakawaka, riroriro, korimako, tui and weka.

Two things really stood out about this regenerating native forest. The first is that it is almost exclusively restricted to landforms that had been mined as clearly evidenced by the substrate being dominated by cobbles and stones. In places this material was arranged in distinctive parallel ridges. The substrate had virtually no soil and very limited humas layer development. Because of the restriction of the regenerating native forest to landforms that have been created through historic goldmining, this vegetation can be regarded as a novel ecosystem.

Novel ecosystems have species compositions and relative abundances that have not occurred previously within a given biome[5]. The key characteristics of a novel ecosystem are:

1) Novelty – new species combinations, with the potential for changes in ecosystem functioning; and,
2) Human agency – ecosystems that are the result of deliberate or inadvertent human action, but do not depend on continued human intervention for their maintenance.

This regenerating native forest is a novel ecosystem in that it has formed as a biotic response to human-induced abiotic conditions (i.e. land degradation,).

The second feature is that this forest has been and continues to be very heavily impacted by deer based on obvious browse sign, droppings and a general lack of most palatable plat species (Photos 8-10). It appeared to me that deer are resident within the regenerating forest but move out into adjacent exotic pastures to feed.

Waterbody delineation and significance assessment

The following notes draw on the desk-top assessment I undertook last year, and observations made during my May 2025 site visit.

Several waterbodies (ponds) are present on the property (Photo 11) and can be readily seen on aerial images of the site since at least 2003 but are not obvious in images from the 1970s (Figure 3), although the resolution of these earlier images is poor. The property owner, John McLaughlin, has informed me that the waterbodies occupy excavated pits that date to nineteenth century gold mining. This was clear from the site visit, as the ponds had typically vertical sides that were most likely the result of miners digging down through the overlying sediments to reach the underlying gold-bearing deposits. The property owner also advised me that the hillock to the west of the main waterbody is composed of excavated material, a conclusion that I agree with having now seen the hillock.

[5] Hobbs et al. 2006. Novel ecosystems: theoretical and management aspects of the new ecologvical world order. Global Ecology and Biogeograhy 15, 1-7.

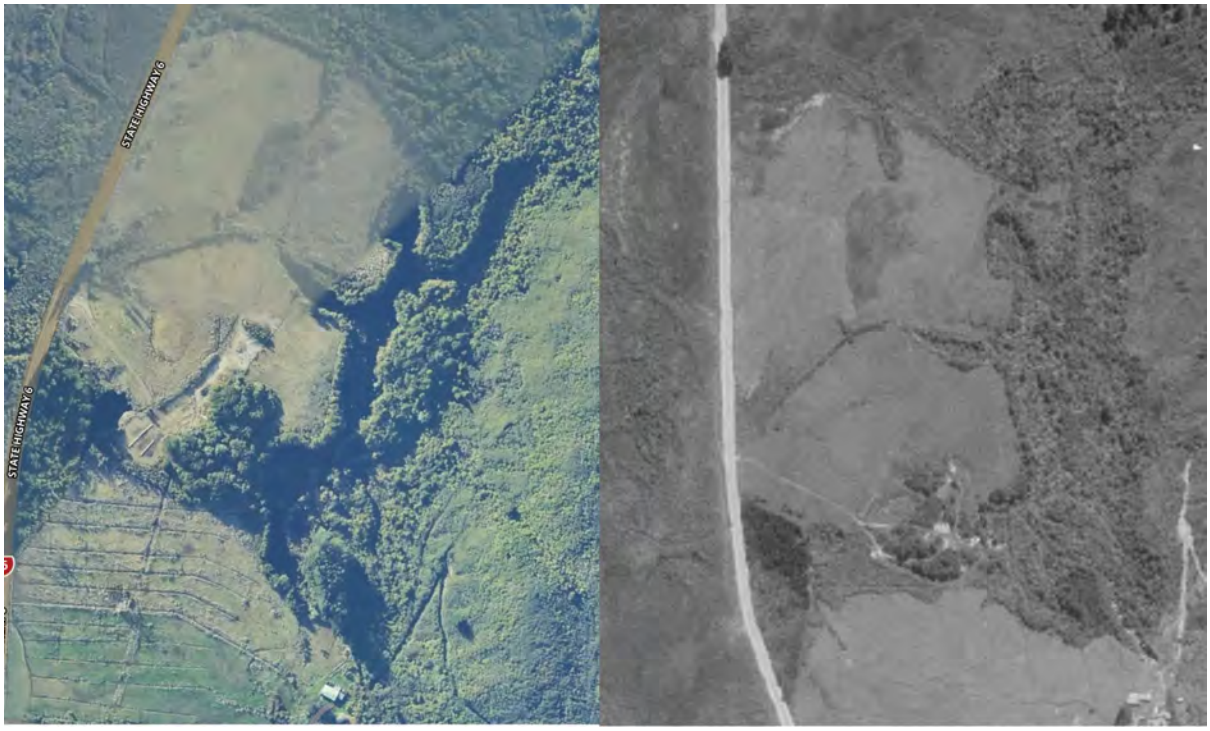

Figure 2. *2020 (left) and 1978 (right) images of the waterbodies on the property. Note the 1970 image is orientated slightly differently to the 2020 image.*

The topographical map and aerial images show several similar waterbodies across Addisons Flat and likely have a similar origin. One reason the owner suggested for the ponds not being visible in the images from the 1970s is that that a tunnel system draining them may have been blocked resulting in them becoming permanent waterbodies. This suggestion is borne out by the presence of dead branches of woody species within the waterbodies today (Photo 12).

The vegetation around the ponds appears to be relatively recent in origin. In many places the sides of the ponds drop steeply into the water, and there is little wetland vegetation. Elsewhere there are dense mats of exotic grasses, rushes and sedges, with occasional purei and harakeke. A formal avifauna survey was not undertaken, but I did observe exotic mallard ducks and native putangitangi on the ponds.

I now address the question of whether these waterbodies meet the definition of natural wetland as defined in the 2020 National Policy Statement for Freshwater Management. In this National Policy Statement, a natural wetland is defined as:

"…. *a wetland (as defined in the Act) that is not:*
(a) a wetland constructed by artificial means (unless it was constructed to offset impacts on, or restore, an existing or former natural wetland); or
(b) a geothermal wetland; or
(c) any area of improved pasture that, at the commencement date, is dominated by (that is more than 50% of) exotic pasture species and is subject to temporary rain-derived water pooling."

The Resource Management Act (the *Act* referred to above) defines a wetland as:

"*permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions*".

It seems clear to me that the waterbodies on this property are undoubtedly wetlands as defined by the RMA in that they are (currently) permanently wet and support an ecosystem of plants and animals adapted to wet conditions. However, I do not believe that they are natural wetlands in the sense of the 2020 National Policy Statement as they have formed because of human activities (gold mining) and they are only wet currently because an underground tunnel has been blocked. If this tunnel was cleared and the water bodies drained, then they would not be wetlands as is evident from the 1970s aerial photography and the presence of dead woody vegetation in the water (Photo 12).

I also do not believe that these waterbodies would meet the definition of being ecologically significant wetlands in the West Coast Regional Policy Statement because they are not natural wetlands.

Significance of ecological values

The RFI from Buller District Council has asked for a formal assessment of the significance of vegetation and habitats on the site with consideration of the relevant criteria under the Buller District Plan, West Coast Regional Policy Statement and the proposed Te Tai o Poutini Plan (TTPP). The key issue here is if any vegetation or habitats on the site meet the definition of significant in terms of these plans. The proposed TTPP specifically requires an assessment of significance be undertaken at the time a resource consent for an activity is applied for. The status of the activity is then determined based on the outcome of this assessment.

The Buller District Plan has as an 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."

It then goes on to outline nine criteria to be used as guidelines to identify areas of significant indigenous vegetation and significant habitats of indigenous fauna:

1) *Representativeness.*
2) *Distinctiveness.*
3) *Intactness.*
4) *Size.*
5) *Protected Status.*
6) *Connectivity.*
7) *Threat.*
8) *Migratory Habitat.*
9) *Scientific or Cultural Value.*

Policy 1 in the Ecosystems and Indigenous Biodiversity Section' of the TTPP sets out to:

"Identify areas of significant indigenous vegetation and fauna habitat:

2. In the Buller and Westland Districts:
i. The criteria set out in Appendix 1 of the West Coast Regional Policy Statement will be used to assess significance;"

The West Coast Regional Policy Statement lists four criteria for assessing the significance of terrestrial vegetation and habitats namely Representativeness, Rarity/Distinctiveness,

Diversity/Pattern and Ecological Context. There is considerable overlap between the two sets of criteria. The National Policy Statement for Indigenous Biodiversity 2023 also sets out criteria for assessing significance and it is my understanding, that these take precedence over those in existing plans. These criteria are broadly similar to those in the West Coast Regional Policy Statement and give effect to the criteria in the Buller District Plan too. They are more comprehensive than either of these two local plans.

I now assess the regenerating native forest on this property against these criteria (the wording in italics is from the NPS-IB).

Representativeness: The extent to which the indigenous vegetation or habitat of indigenous fauna in an area is typical or characteristic of the indigenous biodiversity of the relevant ecological district.
Attributes of representativeness: An area that qualifies as an SNA under this criterion has at least one of the following attributes:
(a) indigenous vegetation that has ecological integrity that is typical of the character of the ecological district:
(b) habitat that supports a typical suite of indigenous fauna that is characteristic of the habitat type in the ecological district and retains at least a moderate range of species expected for that habitat type in the ecological district.

I do not believe that the regenerating native forest under consideration here can be considered as representative in that it is not typical of the character of the ecological district, nor does it support a typical suite of fauna. The regenerating native forest may well be representative of regenerating forest on mined landforms, but this sort of representativeness or typicalness is not the intent of this criterion.

Diversity and pattern: The extent to which the expected range of diversity and pattern of biological and physical components within the relevant ecological district is present in an area.
Attributes of diversity and pattern: An area that qualifies as a significant natural area under this criterion has at least one of the following attributes:
(a) at least a moderate diversity of indigenous species, vegetation, habitats of indigenous fauna or communities in the context of the ecological district:
(b) presence of indigenous ecotones, complete or partial gradients or sequences.

Because this system is novel, occurring on an unnatural landform, means that it cannot contain the expected range of diversity and pattern that might occur on unmodified terraces in this area.

Rarity and distinctiveness: The presence of rare or distinctive indigenous taxa, habitats of indigenous fauna, indigenous vegetation or ecosystems.
Attributes of rarity and distinctiveness: An area that qualifies as an SNA under this criterion has at least one of the following attributes:
(a) provides habitat for an indigenous species that is listed as Threatened or At Risk (declining) in the New Zealand Threat Classification System lists:
(b) an indigenous vegetation type or an indigenous species that is uncommon within the region or ecological district:
(c) an indigenous species or plant community at or near its natural distributional limit:

(d) indigenous vegetation that has been reduced to less than 20 per cent of its pre-human extent in the ecological district, region, or land environment:
(e) indigenous vegetation or habitat of indigenous fauna occurring on naturally uncommon ecosystems:
(f) the type locality of an indigenous species:
(g) the presence of a distinctive assemblage or community of indigenous species:
(h) the presence of a special ecological or scientific feature.

While the vegetation is a distinctive assemblage of indigenous species given that they occur in a novel ecosystem, it does not contain any nationally Threatened or At Risk plant or animal species as far as I was able to ascertain. I note that some of the species present are in the Myrtaceae family which have previously been ranked as Threatened or At Risk nationally because of concerns about the potential impacts of myrtle rust. However, in the most recent ranking of New Zealand's native vascular species (2024), these species have been reranked as Not Threatened (e.g. mānuka and climbing rātā).

Ecological context: The extent to which the size, shape, and configuration of an area within the wider surrounding landscape contributes to its ability to maintain indigenous biodiversity or affects the ability of the surrounding landscape to maintain its indigenous biodiversity.
Attributes of ecological context: An area that qualifies as an SNA under this criterion has at least one of the following attributes:
(a) at least moderate size and a compact shape, in the context of the relevant ecological district:
(b) well-buffered relative to remaining habitats in the relevant ecological district:
(c) provides an important full or partial buffer to, or link between, one or more important habitats of indigenous fauna or significant natural areas:
(d) important for the natural functioning of an ecosystem relative to remaining habitats in the ecological district.

The regenerating forest does buffer the waterbodies that are present on the property. However, because neither are natural, I do not believe that this triggers this significance criterion.

In conclusion, I do not believe that the regenerating native forest, or the waterbodies, can be considered as significant natural areas.

As a general comment, this type of vegetation was not identified as significant when I did an assessment of significance in the Foulwind Ecological District in 2000. This assessment was based on a GIS analysis of the major ecosystem types that would have been present historically (1860), how much of them remained today, and what the tenure was of remaining areas (Table 1).

This assessment concluded that 74% of the original vegetation had been lost in the Foulwind Ecological District, with the loss greatest on terraces and plains (8.5-22.3% remaining) compared to hill country (66% remaining). On terraces and plains, the loss was greatest on poorly drained alluviums behind coastal sand dunes (8.5 % of original kahikatea forest-wetland complexes remain). Kahikatea dominated forests of alluvial surfaces and rimu dominated forests of marine terraces were also heavily impacted (15 and 22.3 % respectively remaining). The remaining examples of these vegetation types were considered the key focus

for protection within the Foulwind Ecological District and several areas were identified as potential SNAs at this time. None of these areas included the site under consideration here.

Table 1. *Representativeness of 1860 vegetation types in the Foulwind Ecological District and current land tenure (unpublished data).*

Vegetation type	Historical Area (ha)	Percent remaining	Remaining area by tenure (%) DoC	TWC	Private
Kahikatea dominated forests of alluvium and sand dunes	14,302	15.0	37.7	1.7	60.6
Kahikatea forests and wetlands on poorly drained alluvium	2,608	8.5	14.4	0.0	85.6
Rimu dominated forests of the poorly drained elevated terraces	11,300	22.3	27.4	34.9	37.7
Mixed beech-conifer forests of the hill country	6,173	66.0	43.4	38.1	18.5
Foulwind Ecological District	**34,383**	**26.1**	**36.9**	**27.5**	**35.6**

Addressing ecological effects

Notwithstanding my conclusion that the regenerating native forest and the waterbodies are not significant, I do believe that they still have value. I would strongly urge the landowner to consider requiring that the main waterbody and the regenerating native forest that surrounds it, and extending east to the boundary with Lot 17, is covenanted to ensure that the native cover is retained. Despite its novelty, it has the potential to develop into a more mature native forest state that will provide important habitat for native fauna, especially birds. I would also strongly encourage the landowner to work with future Lot owners to undertake coordinated deer control across this regenerating native forest as it is my opinion that deer are having a significant adverse impact on the regenerating forest.

Appendix 1. Scientific names of plants mentioned in this report

Climbing rātā	*Metrosideros diffusa*
Gorse	*Ulex europaeus*
Harakeke/flax	*Phormium tenax*
Horoeka/lancewood	*Pseudopanax crassifolius*
Hutu	*Ascarina lucida*
Kahikatea	*Dacrycarpus dacydioides*
Kāmahi	*Pterophylla racemosa*
Kanono	*Coprosma grandifolia*
Kiekie	*Freycinetia banksii*
Lace fern	*Paesia scaberula*
Māhoe	*Melicytus ramiflorus*
Mānuka	*Leptospermum scoparium*
Mingimingi	*Coprosma propinqua*
Miro	*Pectinopitys ferruginea*
Piupiu/crown fern	*Lomaria discolor*
Porokaiwhiri/pigeonwood	*Hedycarya arborea*
Purei	*Carex secta*
Red beech	*Fuscospora fusca*
Rimu	*Dacrydium cupressinum*
Southern rātā	*Metrosideros umbellata*
Tall mingimingi	*Leucopogon fasiculats*
Tangle fern	*Gleichenia microphylla*
Thin-barked tōtara	*Podocarpus laetus*
Toro	*Myrsine salicina*
Wheki/rough tree fern	*Dicksonia squarrosa*