



Resource and Environmental
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Our Ref: L&MML03

1 April 2014

Brett Aldridge
Environment Canterbury
PO Box 345
CHRISTCHURCH 8140

Attention: Sarah Drummond

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S Drummond	
EC145326-119409	

Dear Sarah

SUBMISSION ON PROPOSED VARIATION 1 TO PROPOSED CANTERBURY REGIONAL LAND AND WATER PLAN

Resource and Environmental Management Limited (REM) is working on behalf L&M Group Limited (L&M) and its associated companies with resource management work.

We are aware that the date for submissions closed on 21 March 2014. However, L&M wishes to lodge a late submission on the Proposed Variation 1 to the Proposed Canterbury Regional Land and Water Plan.

It is considered that this late submission should be accepted by Environment Canterbury as L&M was not notified of the proposed Variation. On 26 July 2013 REM, on behalf of L&M, requested that both companies be placed on a stakeholder list for the review process of the various Canterbury Regional Plans. A copy of this letter has been attached to the submission. Despite requesting to be added to a stakeholder consultation list, Environment Canterbury did not notify either REM or L&M of proposed Variation 1. Other parties would not be prejudiced by including this submission; whereas, L&M will be prejudiced if this submission is not accepted. Therefore, it is considered that L&M should be included as part of the Council process for proposed Variation 1.

As such, please find attached a submission on behalf of L&M Coal Whitecliffs Limited and L&M Coal Mount Somers Limited on proposed Variation 1 to the Proposed Canterbury Regional Land and Water Plan.

Yours sincerely

Craig Welsh
RESOURCE AND ENVIRONMENTAL MANAGEMENT NELSON LIMITED

*Assessment of Environmental Effects • Project Management • Resource Consent Applications & Audits
Marine Consent Applications & Impact Assessments • Incident Management • Management Plans • Monitoring
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Submission on Proposed Variation 1 to the Proposed Canterbury Land and Water Regional Plan under Clause 6 of the First Schedule to the Resource Management Act 1991

To: Environment Canterbury
PO Box 345
CHRISTCHURCH 8140

Submission on: Proposed Variation 1

Name: L&M Coal Whitecliffs Limited and L&M Coal Mount Somers Limited

Address: C/- Resource and Environmental Management Limited
PO Box 1100
NELSON 7040

1. The specific provisions to which this submission relates are:

The entire Proposed Variation 1, but in particular Rules 11.5.32 to 11.5.39.

2. L&M Coal Whitecliffs Limited and L&M Coal Mount Somers Limited's submission is that it opposes specific parts of Proposed Variation 1, for the following reasons:

The submitters have interests in coal exploration and mining within the Canterbury Region. L&M Coal Whitecliffs Limited has an Exploration Permit (no. 53158) which covers approximately 3,028 ha; and L&M Coal Mount Somers Limited has a Prospecting Permit (no. 53161) for an area of approximately 2,972 km². Both of these permits are for coal – thermal/semi-soft coking and lignite.

The Canterbury Coal Region comprises several small coal deposits in the foothills of the Southern Alps from the Malvern Hills in the north to the Waihao River in the south. Within this region, over 120 small mines have operated since 1866 producing a total of about 2 million tonnes of coal. As outlined above, L&M Coal Whitecliffs Limited and L&M Coal Mount Somers Limited have permits over the area to prospect and explore for further coal resources within the Canterbury coal region.

In developing this resource, the submitters expect that they will need to prepare resource consent applications and associated assessments of effects on the environment. Notwithstanding that, the submitters are directly affected by the Proposed Variation 1 which proposes changes to the policies and rules for surface water and groundwater extraction.

Open cast coal mining involves the incidental take of water which seeps into the excavated mine pits and the extraction of water from surface or groundwater bodies to assist with processing of the coal.

A portion of the water that seeps into the mine pits can be used for processing the coal resource, but is subsequently discharged back into the hydrological cycle once it has been treated. As such, this process uses a relatively small amount of water, with the majority of the incidental groundwater take being discharged.

The submitters are therefore concerned that the proposed amendments to the Rules will result in the taking of water associating with mining being a prohibited activity.

It is considered that the prohibited status is “over-the-top” with respect to mining and the worst case status should be Discretionary for mining activities for the reasons outlined above.

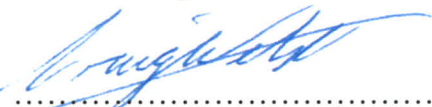
In addition to the proposed changes to the surface water and groundwater takes, the transfer of water permits is of concern to the submitters. The submitters support the restricted-discretionary status of the transfer of water permits, subject to meeting certain criteria. However, the fall-back status should be a Discretionary activity to allow relatively small scale operations the ability to undertake work.

3. The following decision is sought from the Council;

- (a) This submission seeks either the removal of the rules for Prohibited activities (Rule 11.5.36 and 11.5.39) or includes them as Discretionary.
- (b) Include and consequential changes and any associated provisions of proposed Variation 1 as may be required for consistency to give effect to the changes requested in this submission.

4. We do wish to be heard in support of this submission. We will also attend any pre-hearing meetings that may be arranged to discuss the issues raised in this submission.

5. We wish to present our own case at any hearing.



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Craig Welsh
on behalf of:
L&M Coal Whitecliffs Limited and L&M Coal Mount Somers Limited

Dated at Nelson this 1st day of April 2014.

Address for service of person making submission:

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Our Ref: L&MML03

26 July 2013

Policy Manager
Environment Canterbury
PO Box 94
CHRISTCHURCH 8140

Attention: Don Rule

Dear Don

**ECAN REGIONAL PLANS – STAKEHOLDER CONSULTATION
L&M MINING LIMITED AND REM LTD**

Resource and Environmental Management Limited ('REM') is assisting L&M Mining Limited (L&M) with resource management work.

L&M has mining interests in the Canterbury region.

Given L&M's current and future investment in mining in the region it would like the opportunity to participate as a stakeholder in the review of the various Canterbury Regional Management Plans, and any plan changes.

Accordingly I am requesting that you please place L&M (and also REM as its agent) on the stakeholders list for the Review process.

Can you please confirm that this is acceptable to Council.

Yours sincerely

Stephen Calder
RESOURCE AND ENVIRONMENTAL MANAGEMENT NELSON LIMITED

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