

From: [Meredith Macdonald](#)
To: [Tera Maka](#)
Subject: TRIM: FW: L&M Coal Mount Somers Limited - Late Submission on Proposed Variation 3 of the Proposed Canterbury Land & Water Regional Plan
Date: Friday, 12 June 2015 8:14:40 a.m.
Attachments: [L&M Coal Mount Somers Ltd - Submission Variation 3 to Proposed Canterbury Land and Water Regional Plan.pdf](#)

Here you go Tera.

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From: Stephen Calder [<mailto:stephen@remltd.co.nz>]
Sent: Friday, 29 May 2015 3:52 p.m.
To: Sarah Drummond
Subject: L&M Coal Mount Somers Limited - Late Submission on Proposed Variation 3 of the Proposed Canterbury Land & Water Regional Plan

Hi Sarah,

As discussed earlier today, L&M Coal Mount Somers Limited would like to submit on Proposed Variation 3 of the proposed Canterbury Land & Water Regional Plan. We are aware that this submission was due on Monday 25 May, however, we believe this late submission should be accepted as outlined within the attached letter.

Regards,

Stephen



Resource and Environmental Management Limited

Stephen Calder (BSc)

Consultant Planner

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Our Ref: L&MML03

29 May 2015

Brett Aldridge
Environment Canterbury
PO Box 345
Christchurch 8140

Attention: Sarah Drummond

Dear Sarah

SUBMISSION ON PROPOSED VARIATION 3 TO PROPOSED CANTERBURY REGIONAL LAND AND WATER PLAN

Resource and Environmental Management Limited (REM) is working on behalf L&M Coal Mount Somers Limited (L&M) with resource management work.

We are aware that the date for submissions closed on 25 May 2015. However, L&M wishes to lodge a late submission on the Proposed Variation 3 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 as 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 3.

As such, please find attached a submission on behalf of L&M Coal Mount Somers Limited on proposed Variation 3 to the Proposed Canterbury Regional Land and Water Plan.

Yours sincerely

Stephen Calder
RESOURCE AND ENVIRONMENTAL MANAGEMENT NELSON LIMITED

Submission on Proposed Variation 3 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

Name: L&M Coal Mount Somers Limited

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

1. This is a submission on the following proposed variation to a proposed plan:

The entire Proposed Variation 3 of the Proposed Canterbury Land and Water Regional Plan, but in particular Rules 15.5.31.

2. L&M Coal Mount Somers Limited could not gain an advantage in trade completion through this submission
3. The specific provisions of the proposal that our submission relates to are:

The entire Proposed Variation 3, but in particular Rules 15.5.31

4. Our submission is as follows:

L&M Coal Mount Somers Limited's submission is that it opposes Proposed Variation 3, for the following reasons:

The submitters have interests in coal exploration and mining within the Canterbury Region. L&M Coal Mount Somers Limited has a Prospecting Permit (no. 53161) for coal over an area of approximately 471 km².

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 Mount Somers Limited has a permit over the area to prospect 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 3

which proposes changes to the policies and rules for surface water and groundwater extraction.

Open cast coal mining involves the incidental non-consumptive take of groundwater which seeps into the excavated mine pits (known as mine pit dewatering).

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 back into the groundwater resource.

The submitters are therefore concerned that the proposed amendments to the Rules will result in the non-consumptive taking of groundwater associated with mining (in particular mine pit dewatering) 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.

5. The following decision is sought from the Council;

- (a) This submission seeks either the removal of the rules for prohibited activities (Rule 15.5.31) or includes it as discretionary. A potential alternative to this would be the exception of mine pit dewatering from this prohibited activity for the reasons outlined above
- (b) Include any consequential changes and any associated provisions of proposed Variation 3 as may be required for consistency to give effect to the changes requested in this submission.

6. 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.

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



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Stephen Calder
on behalf of:
L&M Coal Mount Somers Limited

Dated at Nelson this 29th day of May 2015.

Address for service of submitter:

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