

5 August 2019



Bathurst Coal Limited  
c/-  
Kathryn Hooper  
Landpro Limited  
PO Box 302  
Cromwell 9342

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Dear Kathryn,

## Request for Further Information

**Response required by:** 26 August 2019  
**Record Number/s:** CRC200500  
**Applicant Name:** Bathurst Coal Limited  
**Activity Description:** To discharge dust to air

### Overview

As you are aware, Adele Dawson has been processing your consent application. So we can progress your application, we are asking for some further information under Section 92 of the Resource Management Act 1991 (RMA).

Options available to you are detailed below under **Response options**. Please complete one of these options by **26 August 2019**. We need this information so we can understand any potential effects from your application. Without this further information, your application may have to be notified or declined.

Notification means that potentially affected parties and/or the general public are given the opportunity to raise their concerns or support for your proposal. Notification does not guarantee your application will be granted – there is the possibility it could be declined. For more information about notification, please go to <https://ecan.govt.nz/do-it-online/resource-consents/notifications-and-submissions/>.

### Information requested

Adele Dawson has identified the following information which we need to understand your proposal fully.

#### 1. Potential effect on air quality

In order to understand the actual and potential adverse effects on air quality please provide the following:

- a. A summary of the numbers, types and sizes of motorised equipment used at the site (diggers, excavators, trucks, watering equipment, etc).
- b. A table showing the frequency distribution of wind speeds and directions, and summaries of these frequencies at the identified dwellings.

- c. Analysis of the duration of wind events with speeds that exceed the identified dust threshold of 5 metres per second.
- d. A discussion of the offensiveness of the dust discharges.
- e. A unified FIDOL assessment. The application refers to the frequency, intensity, duration, offensiveness and location of the discharges and effects (the FIDOL factors) but does not tie this information together.

## **2. Land ownership**

The land on which the mining activities are occurring is not owned by the applicant. Please provide written approval or lease agreements to demonstrate the landowners are aware of the proposed activities.

### **Response options**

The options available to you are set in Section 92A(1) of the RMA. You must choose one of the following options.

#### **A. Supply the requested information by 26 August 2019.**

If the information can be easily collated and supplied by this date, please provide it in writing (via email is fine) to Adele Dawson.

#### **B. Agree in a written notice by 26 August 2019 to supply the information requested.**

Sometimes technical information will take some time to collate or key contacts may not be immediately available. If you need a longer period of time to supply the information requested, please contact Adele Dawson to advise when you can provide the information. You can do this via email or letter.

#### **C. Refuse in a written notice by Adele Dawson to supply the requested information.**

If you chose Option C, section 95C of the RMA requires us to publicly notify your application. If you receive submissions on your application, then you can expect to go through a resource consent hearing process. The charges fact sheet at this link indicates likely costs for a resource consent hearing: <https://ecan.govt.nz/do-it-online/resource-consents/first-steps-and-costs/>. You should be aware that your application could be declined through this process.

If you chose not to respond to this letter, then the process for Option C. applies.

### **Other matters**

This application has been lodged separately to the land use (CRC184166) and change of conditions (CRC191342) that are also in process for the site. It is Environment Canterbury's preference for all applications to be processed together. As we are waiting for information to be provided for CRC184166 and CRC191342, the only mechanism to delay CRC200500 is using s37A of the RMA to extend timeframes with your permission. Please let me know if you are happy to use s37A to align the processing timeframes of this consent with CRC184166 and CRC191342.

If you would like to discuss this request in more detail, please don't hesitate to contact Adele Dawson via email at [Adele@incite.co.nz](mailto:Adele@incite.co.nz) or phone 027 861 8846.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Catherine deGraaff', with a stylized flourish at the end.

**Catherine deGraaff**  
**Team Leader Consents Planning**

cc: Campbell Robertson, Bathurst Coal Limited, PO Box 5963, Wellington