

**From:** [Janette Dovey](#)  
**To:** [Campbell Robertson](#)  
**Cc:** ["Jesse Burgess"](#); ["rosie.flynn@selwyn.govt.nz"](mailto:rosie.flynn@selwyn.govt.nz); ["Damian Spring"](#); ["Alison Brown"](#)  
**Subject:** Canterbury Coal Mine - Final RFI in response to "2nd RFI Response"  
**Date:** Tuesday, 21 May 2019 12:34:00 PM  
**Importance:** Low

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Hi Campbell,

It is disappointing that Bathurst has refused to provide SDC with all of the information necessary for it to assess the effects of the proposal. In the end, that is the applicant's choice and I will need to fully consider it is accordance with s.95C, but there is one issue in particular that the applicant may be misunderstanding; therefore, for the applicant's benefit only, I discuss the issue below and provide a further opportunity for the applicant to address it.

Following the 2<sup>nd</sup> RFI Response, I contacted ECan again to discuss the NES Soil Contamination assessment further. ECan advise that consent is definitely required under the NES, whether that land is considered production land and change of use to mining until rehabilitation is proposed, or whether the land is considered to not be production land under the RMA definition in which case the disturbance of land clauses apply. Either way, consent is required under the NES.

Please note that, if an NES assessment is not provided, there will actually be no option available to me other than to recommend public notification to the Commissioner due to the applicant's refusal to provide that assessment. Please review the applicant's position and confirm as soon as possible.

Kind regards,  
Janette

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Director

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**From:** Campbell Robertson <[Campbell.Robertson@bathurst.co.nz](mailto:Campbell.Robertson@bathurst.co.nz)>  
**Sent:** Monday, 20 May 2019 12:41 PM  
**To:** Janette Dovey <[janette.dovey@bellbird.co.nz](mailto:janette.dovey@bellbird.co.nz)>; 'Jesse Burgess' <[Jesse.Burgess@selwyn.govt.nz](mailto:Jesse.Burgess@selwyn.govt.nz)>; [rosie.flynn@selwyn.govt.nz](mailto:rosie.flynn@selwyn.govt.nz)  
**Cc:** Damian Spring <[Damian.Spring@bathurst.co.nz](mailto:Damian.Spring@bathurst.co.nz)>; Alison Brown <[Alison.Brown@bathurst.co.nz](mailto:Alison.Brown@bathurst.co.nz)>  
**Subject:** Canterbury Coal Mine - 2nd RFI Response

Janette,

Please find attached our response to your second RFI letter. Can you please indicate receipt of this email and attachments.

Regards

Campbell Robertson  
Environmental Manager

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