

**Submission on Resource Consent applications to Environment Canterbury:
CRC184166, CRC200500, CRC201366, CRC201367, CRC201368 and
CRC203016**

and to Selwyn District Council: RC185622

Applicant: Bathurst Coal Limited

Submitter: Kevin Dunn

I wish to make the following submission **opposing** the application by Bathurst Coal Ltd to expand the Canterbury Coal Mine (retrospective and future).

1. The applicant has been operating under an existing resource consent that was in place at the time of purchasing the company in approximately 2012. This enabled the extraction of 20,000 tons of coal per annum. However, the applicant has been breaching this by exceeding this limit for all but one year since purchase. Output for the 2019 financial year is an estimated 120,000 tons of coal, six times the limit under the resource consent. Given this blatant breach of the existing consent the applicant should not now benefit from the granting of a retrospective consent approving what they have done. This must be declined.
2. Both the Selwyn District Council and Ecan must have known the applicant was in breach of its RC . The regulatory authorities have clearly not taken the necessary enforcement action to ensure the output limits are not exceeded.
3. The information provided by the applicant in various documents to the SDC and Ecan, covering production volumes, waste management and environmental issues are contradictory and misleading. It must be questioned as to whether this is the result of very poor management practices or a deliberate attempt to corrupt the consent application process.
4. In recent annual reports there is reference to an ongoing exploration program to identify and extract new seams of coal. This clearly indicates the company intends to continue increasing expansion of the mine (and potentially annual output).
5. We oppose the granting of a RC to allow any any future increase of annual output beyond the current baseline figure of 20,000 t/yr. To do so will lead to a significant detrimental effect on both the community and the environment. The existing consent must be upheld and enforced.
6. The backloading of 30,000 tonnes/year of boiler waste from Fonterra and others, which is used as fill at the mine site appears to have been approved through a non-notified consent process. There appears to have been little consideration by Ecan of the environmental risks, particularly on water quality and the effects

- on the mudfish habitat. There is a very real risk of concentrated toxins and heavy metals from this material seeping through into groundwater and streams that feed downstream aquatic life. Treating and removing these toxins would be very difficult.
7. There is also an ongoing risk to downstream water quality from acid seeping from the excavated overburden. The current and proposed treatment processes for this using mussel shell to neutralize the acid results in diminished oxygen levels in the outgoing water, which is detrimental to all aquatic life, including mudfish.
 8. Risks associated from storms and potential earthquake damage to containment areas need to be independently reviewed.
 9. There is an ongoing disregard by the applicant for maintaining the integrity of the existing wetlands. Some habitat has already been removed by mine expansion and other areas compromised by excavated tracks. The applicant is proposing further removal of wetland vegetation from the Tara Stream complex, which will have a significant effect on the entire complex. We regard this as totally unacceptable.
 10. Canterbury mudfish are a critically endangered species and are (were?) present in the Tara Stream catchment. The detrimental effect on the habitat of this species by the applicant has already been noted through their recent prosecution on 27 independent discharge violations. Throughout the proceedings the applicant denied any wrongdoing. Bathurst Resources and Bathurst Coal Ltd have shown their total disregard of the environmental effects of their activities and have shown they cannot be trusted to comply with their current resource consents.
 11. While we do not live in the area, we are concerned at the effects of the proposed increase in mine size on the local community. Mining has been part of the Colgate-Glentunnel history since the mid 1800's, but never at the scale proposed under this application (or currently operated at).
 12. Finally, regardless of the above reasons for declining the application, believe it should be rejected on the grounds of climate change. It is time we discontinued support for high polluting industries, particularly associated with fossil fuels.

Outcome sought

Decline the applications. Compensation should be sought for breaching the resource consent and reinstatement of lost and damaged biodiversity should be enforced.