

Submission Re:

Bathurst Coal Ltd application to **Environment Canterbury and Selwyn District Council** for consents to continue operating and to expand an open cast coal mine (known as Canterbury Coal Mine), including retrospective and future operation at Bush Gully Road, Malvern Hills, Selwyn.

Submission from:

Stephen Howard

Applicant:

Bathurst Coal Limited
C/- Edwina White.

I wish to be heard in support of this submission

I would consider presenting a joint case at a hearing with others who have made similar submissions

I object to the consent for this mine and I strongly object to retrospective consents.

Timing of Consent Application

I am deeply concerned that this application has been lodged and is continuing at a time when all parties are aware that the Environment Select Committee (ESC) has recommended changes to the RMA to align the Act with provisions and timeframes in the Climate Change Response (Zero Carbon) Amendment Act 2019

In asking for a consent to carry on far beyond the possible changes to the act, it appears that Bathurst is making a cynical attempt by Bathurst to thwart the spirit of the ZCA and any democratically make changes to the RMA. Indeed, it could be seen to be an attempt to create a right which would put the company in position to claim compensation were a later government decide to prevent any further coal mining.

The purpose of the RMA should be considered in addressing this application. That purpose can't be supported if the effects of carbon emissions on the climate are ignored.

Coal prices

The present trend in coal prices and recent collapses of mining companies does not give confidence that the company can continue to mine economically and if it fails may leave ECAN and SDC with large remediation costs.

The record of Bathurst

Bathurst 's bad track record around compliance with consents does not give any confidence that the company will comply in the future.

Environment Canterbury's own website reports fines for 27 infractions against discharging mining effluent into the local waterways.

Selwyn DC has also served abatement notices against the company for consent Infringements

It is understood that Bathurst has already exceeded the consented 20000 tons and are taking 100,000 tonnes already.

Given this I cannot have any confidence that the company will comply with any further consent and I consider that the best response to this application is to deny it, especially any retrospective aspects.

Waihora, local water ways, shallow aquifers, and the environment in general

There has and is an ongoing degradation of water and water ways in Canterbury, especially the environmentally and culturally important lake Waihora and the aquifers which supply drinking water of which the people of Canterbury were once justifiably proud.

Much effort has been recently made to clear up water ways, plant riparian strips and manage damage to surface water, both streams and Waihora, it would be a great pity were this mine to be allowed to negate all these efforts

All mining represents threats to water and water ways. Any measures taken to avoid or mitigate these threats are costly and if the full cost were to be placed on the miner, it would make mining much less economically attractive.

Refusal and conditions

I ask that these consents be refused, especially any retrospective ones, but if they are to be allowed then I strongly recommend the following conditions

- No retrospective consents be given
- Only a short time frame for any consent should be allowed so that the changes that may be brought about by the Zero Carbon Act not be thwarted
- A large bond should be required to ensure that the costs of any future mitigation is carried by the company
- Land clearance in front of mining should be kept to a minimum
- Remediation should be immediate and ongoing during the mining process
- Carbon offset planting of forest should be required
- The company should fund down stream testing of both surface water and aquifers by independent testers.

Thank you for considering my submission.

Stephen Howard