

From:
To: [Hearings](#)
Cc: [Edwina White](#)
Subject: Notifications Consent Submission: Group 542
Date: Thursday, 14 May 2020 11:10:26 PM

Group ID: 542

Consent name: Bathurst Coal Limited

Consent number: CRC184166, CRC200500, CRC201366, CRC201367, CRC201368, CRC203016, RC185622

Name: Fiona Clements

Care of: Sustainable Dunedin City Inc

Mailing address 1:

Mailing address 2:

Suburb:

Town/City:

Post-code:

Country:

Mobile phone:

Work phone:

Home phone:

Email:

Contact by email: Yes

Is a trade competitor: No

Directly affected: Yes

Consent support/hearing details

- CRC184166: oppose | WANT to be heard | WILL consider a joint hearing
- CRC200500: oppose | WANT to be heard | WILL consider a joint hearing
- CRC201366: oppose | WANT to be heard | WILL consider a joint hearing
- CRC201367: oppose | WANT to be heard | WILL consider a joint hearing
- CRC201368: oppose | WANT to be heard | WILL consider a joint hearing
- CRC203016: oppose | WANT to be heard | WILL consider a joint hearing
- RC185622: oppose | WANT to be heard | WILL consider a joint hearing

Reasons comment:

We oppose each application for resource consent, as well as the overall expansion of the

mine, because: Coal kills the climate – coal is a major contributor to global carbon emissions, and thus to the current climate and ecological crisis humanity is facing. We recognise that currently this is not a legal grounds for refusing an application under the Resource Management Act, but we urge you to take it into consideration because: In 2019 ECan recognised the current climate and ecological crisis, declared a climate emergency and agreed to act on it in all its activities. To now allow the expansion of coal mining in your rohe for another 20-30 years makes mockery of the intent of such a declaration. The section of the RMA that expressly disallows the consideration of climate impact is currently under review and may well be changed by the time the extension is awarded. We understand 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. That Act expressly permits decision-makers acting under other legislation to take into account statutory emission targets, budgets and reduction plans. Key changes to the RMA proposed by the ESC include: Requirements for councils to consider ‘emission reduction plans’ and ‘national adaptation plans’ when developing regional policy statements, regional plans and district plans. The repeal of RMA provisions that prevent regional councils from considering the effects of greenhouse gas emissions on climate change when making rules in plans or making decisions on applications for resource consent. The ESC recommends these provisions come into force from 31 December 2021 which aligns with the timeline for the gazettal of the first ‘emissions reduction plan. We would also ask the question: which has primacy – the decisions that a local body makes in response to local public pressure and needs, or the decisions of central government? Does the fact that central Government has not yet passed an amendment to the RMA prevent ECan from acting on its own decisions in that regard? We think not. We urge you to consider ECan’s role as the democratically elected representatives of the local population and your responsibility for protecting our people, our whenua and all other creatures within the rohe. Canterbury Coal Mine produces low-grade coal used locally for heating. This is low-grade sub-bituminous coal sold primarily to local dairy factories, schools and other organisations for heating. In a climate crisis, alternatives to coal for heating can and must be found. There is no justification for mining this coal and the mining should be phased out, not extended. The mine supports unsustainable farming practices on the Canterbury plains – most of the coal is used in local dairy factories for drying milk powder. There is growing substantial evidence that such farming practices - Due to overstocking, intensive irrigation and high nitrogenous fertiliser use, have been and continue to be destructive to both water supply and water quality in Canterbury. Are unsustainable and incompatible with the health of our land (monoculture, loss of biodiversity), people (nitrates in the groundwater), and animals (lack of shelterbelts and intensive farming practices). Are a threat to New Zealand’s food security - this area is naturally better suited to wheat and grain growing – these were once grown there but now have to be imported. Follow a high volume/low quality intensive business model that is increasingly uneconomic as well as destructive of farming communities. Bathurst’s history of refusing to comply with resource consents – this company has a long history of discharge consent infraction. ECan’s own website documents fines for 27 infractions against discharging mining effluent into the local waterways, the last such being November 2019. Selwyn DC has also served abatement notices against the company for consent infringements. We have no confidence that a company that yearly gets fined for consent breaches has any intention of respecting any future consent requirements. Threat to the critically endangered Canterbury mudfish – Aotearoa’s native animal and plant species are disappearing rapidly under what has been termed ‘death by a thousand small cuts’. Every expansion of human activity into a wild/unused area means less space for other species. This has been shown recently and vividly by the tiny respite that Nature enjoyed during the COVID-19 lockdown. This mining operation is very specifically a threat to the endangered Canterbury mudfish, whose habitat is now very restricted. The continual flouting of notices against discharging mining effluent into the mudfish habitat

shows that this operator cannot be trusted to protect the environment they are working in and must not be allowed to continue their destruction. Minimisation of the negative impact on local environment and community – as well as the impact on indigenous biodiversity and cultural values, Selwyn D.C. has identified the impact of noise and dust, pollution of local waterways, landscape effects and overall amenity and cultural values as being more than minor in its effects. The Council's view of these effects are summarised in their Notification Decision, which may be found here. We argue that these impacts are NOT minor. We also note that Bathurst has repeatedly failed to provide the required information to local authorities in a timely fashion to allow them to fully assess these resource consent applications. For all these reasons, therefore, we argue that Bathurst's application for resource consents to enable it to extend its coal-mining operations at Canterbury Mines should not be approved.

Consent comment:

Coal kills the climate – we must stop producing and using coal if we are to bring emissions down. The low-grade coal from this mine is used locally for industrial heating, a use for which climate-friendly alternatives exist. Currently the Resource Management Act does not allow 'climate impact' as grounds for refusing a consent. However, this RMA clause is being reviewed and is likely to be changed to be compatible with the Zero Carbon Act. In 2019 ECan committed to declaring and acting on a climate and ecological emergency. As elected representatives, your primary responsibility is to the health of your local population and whenua. The mine supports an unsustainable model of land-use – 90% of this low-grade coal goes to Fonterra dairy factories. Their commercial model (the intensive production of low price/high volume commodities) requires a degree of irrigation, fertiliser use and livestock overstocking that is harmful to both the natural environment and human health. Calls for a change to this model are growing steadily stronger and more mainstream. Disregard for environmental degradation and threat to biodiversity - Bathurst have repeatedly breached their existing consents for discharge to local waterways that are the habitat of the endangered Canterbury mudfish. We have no confidence they will not continue to do so. Negative impact on local environment and community – as well as the impact on indigenous biodiversity and cultural values, Selwyn D.C.'s own Notification decision report identified the impact of noise and dust, pollution of local waterway, landscape effects and overall amenity values as being more than minor. Bathurst has also repeatedly failed to provide the required information on these issues.