

CON520: SUBMISSION ON RESOURCE CONSENT APPLICATION

(SECTION 96 RESOURCE MANAGEMENT ACT 1991)

TO: Consents Hearings
Environment Canterbury
P O Box 345
CHRISTCHURCH 8140

Email: hearings@ecan.govt.nz

Ph: (03) 353 9007 Fax: (03) 365 3194

OR: submit by completing an on-line form at:

<https://www.ecan.govt.nz/do-it-online/resource-consents/notifications-and-submissions/notified-consents/>.

FOR OFFICE USE ONLY

FILE: CRC184166, CRC200500, CRC201366,
CRC201367, CRC201368, CRC203016

Closing Date: **5.00pm Tuesday 21 April 2020**

Person(s) /Group /Organisation Making the Submission

Full Name of Submitter(s):

EVAN MILES FREW - AUOCA TRUST

Postal Address For Service: _____

Contact Phone No(s): _____

Fax/Email: _____

☐ Please tick this box if you do not want to receive any communication via email

Contact

Person: Evan Frew

Name of applicant: Bathurst Coal Limited

Applications to Environment Canterbury



All of the applications as listed below OR only those as ticked.

- | | | |
|--------------------------|-----------|---|
| <input type="checkbox"/> | CRC184166 | Land use to undertake earthworks |
| <input type="checkbox"/> | CRC200500 | Discharge contaminants to air (fugitive dust) |
| <input type="checkbox"/> | CRC201366 | To take surface water from artificial ponds, divert surface water and dam water |
| <input type="checkbox"/> | CRC201367 | To take groundwater |
| <input type="checkbox"/> | CRC201368 | Discharge sediment, drainage water and residual contaminants to water |
| <input type="checkbox"/> | CRC203016 | Discharge contaminants to land and to water |

☒ I / We support the application ☐ I / We oppose the application ☐ I / We are neutral to the application
(neither support or oppose)

subject to conditions

☒ I / We **do** wish to be heard in support of my/our submission*

(Note: this means you wish to speak in support of your submission at the hearing)

*If others make a similar submission, I will consider presenting a joint case with them at the hearing ☐ Yes ☐ No

OR



I / We **do not** wish to be heard in support of my/our submission

(Note: this means that you cannot speak at the hearing, however you will retain your right to appeal any decision to the Environment Court on any decision made by the Council.)

Application to Selwyn District Council

☒ RC185622 Land use to expand Canterbury Coal Mine (retrospective and in the future)

☒ I / We support the application ☐ I / We oppose the application ☐ I / We are neutral to the application
subject to conditions (neither support or oppose)

☒ I / We **do** wish to be heard in support of my/our submission*
(Note: this means you wish to speak in support of your submission at the hearing)
*If others make a similar submission, I will consider presenting a joint case with them at the hearing ☐ Yes ☐ No

OR

☐ I / We **do not** wish to be heard in support of my/our submission
(Note: this means that you cannot speak at the hearing, however you will retain your right to appeal any decision to the Environment Court on any decision made by the Council.)

2. The reasons for making my submission are: *(state in summary the nature of your submission, giving reasons)*

See attachment

Please attach additional pages if required

3. I wish the consent authority to make the following decision: *(give details, including the general nature of any conditions sought)*

See attachment

Please attach additional pages if required

4. ☒ I am not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
- ☐ I am a trade competitor for the purposes of section 308B of the Resource Management Act 1991; and
- ☐ I am directly affected by an effect of the subject matter of the submission that (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.
- ☐ I am not directly affected by an effect of the subject matter of the submission that (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

Signature of submitter or duly authorised agent on behalf of submitter

Date 15/11/20

Notes to the submitter:

1. The person making this submission must send a copy to the applicant as soon as reasonably practicable after serving Environment Canterbury
2. A list of all submissions received will be provided to the applicant.
3. Privacy: Please note that submissions are public. Your name and submission (excluding your contact details) will be included in papers that are available to the media and public which may include publication on the Council website. Your submission will only be used for the purpose of the notified resource consent process

The address for service of the applicant is:

Applicant: Bathurst Coal Limited
Address for service: Bathurst Coal Limited
Attn: Edwina White.

Submission to Ecan/Selwyn District Council re Resource Consent Application
CON520

As per Public Notification of 21st March 2020 re Bathurst Coal Ltd

I, Evan Miles Frew, act as a Trustee for Avoca Trust, owner of land covered by Bathurst Coal Ltd's application. I am also a Director and Shareholder of Cairnridge Ltd, owner of land covered by the application

My submission is focused on the following four issues:

1. The actual area of land involved in the application.

The titles listed on the application cover a much larger area than is proposed to be mined. I draw your attention to attached map obtained from Edwina White, Bathurst Coal Ltd. The blue line defines the area where mining-related activities will take place. The red line inside this area is referred to as 'pit shells' – this is the area where the coal extraction will take place. I support the application providing that all mining-related activity takes place only in the area within the blue line on the map. Thus, Cairnridge Ltd and any titles for land owned by Cairnridge Ltd are irrelevant and should be withdrawn from the application.

2. Land Reinstatement.

It is imperative that the applicant makes adequate provision for land reinstatement – the applicant has already begun reinstatement work on the mining site with about 12 ha grassed down in pasture. This is part of Bathurst Ltd's ongoing programme and much more will need to be done. My submission is that, given the scale of the operation, Bathurst Coal Ltd should be required to lodge a bond with the joint councils of \$1,000,000 to ensure that full reinstatement of the total area – to land contours suitable for forestry planting and harvesting - takes place on a timely basis.

3. Mining Footprint Restriction.

I am concerned about the total area of the mining-related activity at any given time and would submit that this area should never exceed 25ha

4. Road Upgrade

I submit that if this application is granted, Malvern Hills and Bush Gully Roads will require considerable upgrading to ensure safety for all road users. The cost of this should be borne by Selwyn District Council not Bathurst Coal Ltd.

In conclusion, subject to the conditions outlined above, Avoca Trust supports the consent application because there is no alternative energy resource currently available for Bathurst's clients in this area.