

CANTERBURY REGIONAL COUNCIL AND SELWYN DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT

JOINT HEARING OF RESOURCE CONSENT APPLICATIONS

BY BATHURST COAL LIMITED

MINUTE #5 OF THE HEARING COMMISSIONERS

1. This Minute relates to Bathurst Coal Limited's (**BCL** or 'the Applicant') applications for resource consents for mining activities at the Canterbury Coal Mine, Malvern Hills and the joint hearing of these applications. The Canterbury Regional Council (**CRC**) applications are referenced as resource consent numbers CRC184166, CRC200500, CRC201366, CRC201367, CRC201368 and CRC203016. The Selwyn District Council (**SDC**) application is referenced as RC185622.
2. We issued Minute #4 on 21 December 2021 directing the circulation of the annotated set of draft conditions and further information to submitters for comment and provision of BCL's right of reply.
3. No further written comments from submitters were received following this process.
4. Since issuing this Minute, we consider it is appropriate to add a further procedural step to enable BCL to provide an updated set the conditions and reply evidence, reflecting what it now proposes; and for the Councils' Reporting Officers to provide further written comments and a final recommendation based on the revised proposed set of conditions.
5. We are conscious that at the adjournment of the hearing, the CRC Reporting Officer was of the view the consents sought must be declined under section 104D of the Resource Management Act; and that the annotated conditions provided with the Applicant's memorandum (dated 20 December 2021) reflects comments and suggested amendments arising from conferencing, and not necessarily BCL's final position. It is therefore appropriate that the Applicant confirms where it has 'landed' with the proposed conditions and compensation package and that this is assessed by the Councils' Reporting Officers before making their final recommendation.
6. Accordingly, we direct the Applicant to provide its revised proposed set of conditions (including details on the compensation package proffered) and any commentary to Ms Cooper at the CRC by **4pm Friday 25 February 2022**.
7. We direct the Councils' Reporting Officers to provide any final comments from any technical experts on the Applicant's proposed conditions and compensation package, and their final recommendation by **4pm Friday 18 March 2022**.
8. We direct the Applicant to provide its written right of reply and final set of proposed conditions by **4pm Friday 8 April 2022**.

Ms Alison Cooper, CRC Hearings Consents Hearings Officer
Environment Canterbury
PO Box 345

Christchurch 8140

Email: Hearings@ecan.govt.nz

Phone 0800 765588.

DATED 18 February 2022

A handwritten signature in black ink, appearing to read 'S. McGarry', is written on a light green rectangular background.

Sharon McGarry (Chair)

On behalf of the Hearing Commissioners